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SALUS POPULI SUPREMA LEX ESTO

*“The welfare of the people shall be the supreme law.”*



JASON KANDER  
SECRETARY OF STATE

MISSOURI  
REGISTER

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May 1, 2014 May 15, 2014	June 2, 2014 June 16, 2014	June 30, 2014 June 30, 2014	July 30, 2014 July 30, 2014
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October 1, 2014 October 15, 2014	November 3, 2014 November 17, 2014	November 30, 2014 November 30, 2014	December 30, 2014 December 30, 2014
November 3, 2014 November 17, 2014	December 1, 2014 December 15, 2014	December 31, 2014 December 31, 2014	January 30, 2015 January 30, 2015
December 1, 2014 December 15, 2014	January 2, 2015 January 15, 2015	January 29, 2015 January 29, 2015	February 28, 2015 February 28, 2015
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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

# Missouri Participating Libraries

The *Missouri Register* and the *Code of State Regulations*, as required by the Missouri Documents Law (section 181.100, RSMo Supp. 2013), are available in the listed participating libraries, as selected by the Missouri State Library:

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Jefferson College Library 1000 Viking Drive Hillsboro, MO 63050-2441 (314) 789-3951 ext. 160	Cape Girardeau Public Library 711 N. Clark Cape Girardeau, MO 63701-4400 (573) 334-5279	Library North Central Missouri College PO Box 111, 1301 Main Street Trenton, MO 64683-0107 (660) 359-3948 ext. 325	Lebanon-Laclede County Library 915 S. Jefferson Ave. Lebanon, MO 65536-3017 (417) 532-2148
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St. Louis University Law Library 3700 Lindell Blvd. St. Louis, MO 63108-3478 (314) 977-2742	Riverside Regional Library PO Box 389, 1997 E. Jackson Blvd. Jackson, MO 63755-0389 (573) 243-8141	Missouri State Library 600 West Main, PO Box 387 Jefferson City, MO 65102-0387 (573) 751-3615	Barry-Lawrence Regional Library 213 6th St. Monett, MO 65708-2147 (417) 235-6646
Eden/Webster Library Eden Theological Seminary/ Webster University 475 East Lockwood Ave. St. Louis, MO 63119-3192 (314) 961-2660 ext. 7812	Rutland Library Three Rivers Community College 2080 Three Rivers Blvd. Poplar Bluff, MO 63901-2393 (573) 840-9656	Missouri State Archives 600 West Main, PO Box 778 Jefferson City, MO 65102-0778 (573) 526-6711	Lyons Memorial Library College of the Ozarks General Delivery Point Lookout, MO 65726-9999 (417) 334-6411 ext. 3551
Thomas Jefferson Library University of Missouri-St. Louis 8001 Natural Bridge Road St. Louis, MO 63121-4499 (314) 516-5084	James C. Kirkpatrick Library University of Central Missouri 142 Edwards Library Warrensburg, MO 64093-5020 (660) 543-4149	Elmer Ellis Library University of Missouri-Columbia 106 B Ellis Library Columbia, MO 65211-5149 (573) 882-0748	Garnett Library Missouri State University—West Plains 304 Cleveland West Plains, MO 65775-3414 (417) 255-7945
Washington University Law Library Washington University Campus Box 1171, Mudd Bldg., One Brookings Dr. St. Louis, MO 63130-4899 (314) 935-6443	Kansas City Public Library 14 West 10th Street Kansas City, MO 64105 (816) 701-3546	Library State Historical Society of Missouri 1020 Lowry St. Columbia, MO 65211-7298 (573) 882-9369	Springfield-Greene County Library 4653 S. Campbell Springfield, MO 65801-0760 (417) 874-8110
St. Louis County Library 1640 S. Lindbergh Blvd. St. Louis, MO 63131-3598 (314) 994-3300 ext. 247	Law Library University of Missouri-Kansas City 5100 Rockhill Road Kansas City, MO 64110-2499 (816) 235-2438	Daniel Boone Regional Library PO Box 1267, 100 West Broadway Columbia, MO 65205-1267 (573) 443-3161 ext. 359	Meyer Library Missouri State University PO Box 175, 901 S. National Springfield, MO 65804-0095 (417) 836-4533
Library Maryville University 13550 Conway Road St. Louis, MO 63141-7232 (314) 529-9494	Miller Nichols Library University of Missouri-Kansas City 5100 Rockhill Road Kansas City, MO 64110-2499 (816) 235-2438	School of Law University of Missouri-Columbia 224 Hulston Hall Columbia, MO 65211-0001 (573) 882-1125	
Pickler Memorial Library Truman State University 100 E. Normal Kirksville, MO 63501-4221 (660) 785-7416	B.D. Owens Library Northwest Missouri State University 800 University Drive Maryville, MO 64468-6001 (660) 562-1841	Smiley Memorial Library Central Methodist University 411 Central Methodist Square Fayette, MO 65248-1198 (660) 248-6279	
	St. Joseph Public Library 927 Felix Street St. Joseph, MO 64501-2799 (816) 232-8151		

## HOW TO CITE RULES AND RSMo

**RULES**—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

**RSMo**—The most recent version of the statute containing the section number and the date.

**U**nder this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

**E**ntirely new rules are printed without any special symbolology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

**A**n important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

**I**f an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

**A**n agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety- (90-) day-count necessary for the filing of the order of rulemaking.

**I**f an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

**Boldface text indicates new matter.**

*[Bracketed text indicates matter being deleted.]*

**Title 10—DEPARTMENT OF NATURAL RESOURCES**  
**Division 10—Air Conservation Commission**  
**Chapter 6—Air Quality Standards, Definitions, Sampling**  
**and Reference Methods and Air Pollution Control**  
**Regulations for the Entire State of Missouri**

## PROPOSED AMENDMENT

**10 CSR 10-6.110 Reporting Emission Data, Emission Fees, and Process Information.** The commission proposes to amend subsection (3)(A). If the commission adopts this rule action, it will be the department's intention to submit this rule amendment to the U.S. Environmental Protection Agency to replace the current rule that is in the Missouri State Implementation Plan. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address listed in the Notice of Public Hearing at the end

of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Environmental Regulatory Agenda website, [www.dnr.mo.gov/regs/index.html](http://www.dnr.mo.gov/regs/index.html).

*PURPOSE: This rule provides procedures for reporting emission related information and establishing emission fees for the purpose of state air resource planning. The purpose of this rulemaking is to change the air emission fee structure pursuant to section 643.079.10, RSMo in SB 642. This proposed rulemaking will increase the emission fee for permitted sources from forty dollars (\$40) to forty-eight dollars (\$48) per ton of air pollution. The forty-eight dollars (\$48) emission fee becomes effective January 1, 2016, starting with calendar year 2015 emissions. The increased emission fee will enable the department's Air Pollution Control Program to remain solvent and maintain its authority as the implementing agency of the federal Clean Air Act in the state of Missouri. The evidence supporting the need for this proposed rulemaking, per 536.016, RSMo, is section 643.079.10, RSMo in Senate Bill 642 and the May 19, 2014 Stakeholder Fee Presentation.*

### (3) General Provisions.

#### (A) Emission Fees.

1. Any installation subject to this rule, except sources that produce charcoal from wood, shall pay an annual emission fee *[of forty dollars and no cents (\$40.00)]* per ton of applicable pollutant emissions identified in Table 2 of this rule *[for calendar years 2013, 2014, and 2015] based on previous calendar year emissions* and in accordance with paragraphs (3)(A)2. through (3)(A)7. of this rule. **The emission fee shall be forty dollars and no cents (\$40.00) per ton until January 1, 2016, after which the fee shall be forty-eight dollars and no cents (\$48.00) per ton.**

2. For Full Emissions Reports, the fee is based on the information provided in the installation's emissions report. For sources which qualify for and use the Reduced Reporting Form, the fee shall be based on the last Full Emissions Report.

3. The fee shall apply to the first four thousand (4,000) tons of each air pollutant subject to fees as identified in Table 2 of this rule. No installation shall be required to pay fees on total emissions in excess of twelve thousand (12,000) tons for any reporting year. An installation subject to this rule which emitted less than one (1) ton of all pollutants subject to fees shall pay a fee for one (1) ton.

4. An installation which pays emission fees to a holder of a certificate of authority issued pursuant to section 643.140, RSMo, may deduct those fees from the emission fee due under this section.

5. The fee imposed in paragraph (3)(A)1. of this rule shall not apply to NH<sub>3</sub>, CO, PM<sub>2.5</sub>, or HAPs reported as PM<sub>10</sub> or VOC, as summarized in Table 2 of this rule.

6. Emission fees for the reporting year are due June 1 after each reporting year. The fees shall be payable to the Missouri Department of Natural Resources.

7. To determine emission fees, an installation shall be considered one (1) source as defined in section 643.078.2, RSMo, except that an installation with multiple operating permits shall pay emission fees separately for air pollutants emitted under each individual permit.

TABLE 2. Pollutant Fee Applicability

Pollutants Subject to Fees	Pollutants Not Subject to Fees
PM <sub>10</sub> pri	PM <sub>2.5</sub> pri
SO <sub>2</sub>	CO
NO <sub>x</sub>	NH <sub>3</sub>
VOC	HAPs reported as PM <sub>10</sub> or VOC
HAP	
Lead	

**AUTHORITY:** section 643.050, RSMo Supp. [2012] 2013. Original rule filed June 13, 1984, effective Nov. 12, 1984. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 2, 2014.

**PUBLIC COST:** This proposed amendment will cost one hundred eighty-eight thousand five hundred ninety dollars (\$188,590) in FY 2016. For the years after FY 2016, the total annual aggregate cost is one hundred seventy thousand six hundred fifty dollars (\$170,650) for the life of the rule. Note the attached fiscal note for assumptions that apply.

**PRIVATE COST:** This proposed amendment will cost \$1,068,675 in FY 2016. For the years after FY 2016, the total annual aggregate cost is nine hundred sixty-seven thousand nineteen dollars (\$967,019) for the life of the rule. Note the attached fiscal note for assumptions that apply.

**NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** A public hearing on this proposed amendment will begin at 9:00 a.m., October 30, 2014. The public hearing will be held at the Missouri Department of Natural Resources, Northeast Regional Office, 1709 Prospect Drive, North Conference Room, Macon, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Interested persons, whether or not heard, may submit a written or email statement of their views until 5:00 p.m., November 6, 2014. Written comments shall be sent to Chief, Air Quality Planning Section, Missouri Department of Natural Resources' Air Pollution Control Program, PO Box 176, Jefferson City, MO 65102-0176. Email comments shall be sent to [apcprulespn@dnr.mo.gov](mailto:apcprulespn@dnr.mo.gov).

**FISCAL NOTE  
PUBLIC COST**

- I. Department Title:** 10 – Department of Natural Resources  
**Division Title:** 10 – Air Conservation Commission  
**Chapter Title:** 6 – Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control Regulations for the Entire State of Missouri

<b>Rule Number and Name:</b>	10 CSR 10 – 6.110 Reporting Emission Data, Emission Fees, and Process Information
<b>Type of Rulemaking:</b>	Proposed Amendment

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
2,229 Total Facilities of which 143 are Public Entities (See list of affected entities below.)	\$ 170,650 Annualized Aggregate \$ 853,250 For Projected 5-Year Life

**III. WORKSHEET**

Actual FY 2013 Fee Revenue Collected = \$7,651,695

Projected FY 2014 Fee Revenue Collected = \$7,192,593 (Assuming 6 % decrease in fee revenue from FY 2013 revenue)

Projected FY 2015 Fee Revenue Collected = \$6,617,186 (Assuming 8 % decrease in fee revenue from FY 2014 revenue)

Projected FY 2016 Fee Revenue Collected = \$6,286,326 (Assuming 5 % decrease in fee revenue from FY 2015 revenue)

FY 2016 Projected Revenue Collection From Emission Fees = \$6,286,326

Current Emission Fee = \$40.00

FY 2016 Projected Chargeable Tons of Emissions/Year =  $\frac{\text{FY 2016 Projected Revenue Collection From Emission Fees}}{\text{Current Emission Fee}}$

FY 2016 Projected Chargeable Tons of Emissions/Year = 157,158

Proposed Emission Fee = \$48.00

Fiscal Year	Percent yearly decrease in Collection from Fees	Tons of Chargeable Emissions	Estimated Emission Fee Collection (with fee change)	Estimated Emission Fee Collection (without fee change)	Cost to Affected Entities due to Fee Increase
2016 (1/1 - 6/30/16)	—	157,158	\$7,543,591	\$6,286,326	\$1,257,265
2017	5%	149,300	\$7,166,412	\$5,972,010	\$1,194,402
2018	5%	141,835	\$6,808,091	\$5,673,409	\$1,134,682
2019	5%	134,743	\$6,467,687	\$5,389,739	\$1,077,948
2020	5%	128,006	\$6,144,302	\$5,120,252	\$1,024,050
2021 (7/1 - 12/31/20)	5%	121,606	\$0 *	\$0 *	\$0 *
Cost projected over 5 years			\$34,130,084	\$28,441,737	\$5,688,347

\* Although chargeable emissions are accrued, emission fees are collected in the later part of FY 2021.

157,158 = Projected chargeable tons per year for FY 2016 fee collection  
 5% = Projected decrease in chargeable tons of emissions per year beyond FY 2016  
 \$48.00 = Proposed new emissions fee  
 \$40.00 = Existing emissions fee  
 15% = Estimated percentage of total chargeable emissions attributable to public entities

Projected Total Emission Fees Collected (with proposed new fee) - Public & Private Entities							
	FY 2016 (1/1-6/30/16)	FY 2017*	FY 2018	FY 2019	FY 2020	FY 2021 (7/1-12/31/20)	5-Year Cost
Projected chargeable tons per year for Fee Collection	157,158	149,300	141,835	134,743	128,006	121,606	832,649
Emission Fees	\$7,543,591	\$7,166,412	\$6,808,091	\$6,467,687	\$6,144,302	\$0***	\$34,130,084

Projected Total Emission Fees Collected (with existing fee) - Public & Private Entities							
	FY 2016 (1/1-6/30/16)	FY 2017*	FY 2018	FY 2019	FY 2020	FY 2021 (7/1-12/31/20)	5-Year Cost
Projected chargeable tons per year for Fee Collection	157,158	149,300	141,835	134,743	128,006	121,606	832,649
Emission Fees	\$6,286,326	\$5,972,010	\$5,673,409	\$5,389,739	\$5,120,252	\$0***	\$28,441,737

New/Existing Emission Fees Cost Difference For Public & Private	\$1,257,265	\$1,194,402	\$1,134,682	\$1,077,948	\$1,024,050	\$0***
New/Existing Emission Fees Cost Difference For Public Only (15% of Public & Private)	\$188,590	\$179,160	\$170,202	\$161,692	\$153,608	\$0***

Projected 5-Year Aggregate Increase in Emission Fee Amount Collected	\$5,688,347
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Estimated Annualized Aggregate For Public and Private Entity Emission Fee Cost For This Amendment**	\$1,137,669
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Estimated Annualized Aggregate For Public Entity Cost Only For This Amendment (15% of Public & Private)	\$170,650
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- \* The first full fiscal year for this rulemaking is FY 2017.  
 \*\* Difference in estimate annualized aggregate costs when raising \$40.00 fee to \$48.00.  
 \*\*\* Although chargeable emissions are accrued, emission fees are collected in the later part of FY 2021.

#### List of Affected Entities:

SIC Code	SIC Description	# of 2012 Affected Entities (Public and Private)
01	AGRICULTURAL PRODUCTION - CROPS	1
02	AGRICULTURAL PRODUCTION - LIVESTOCK AND ANIMAL SPECIALTIES	3
07	AGRICULTURAL SERVICES	40
10	METAL MINING	11
12	COAL MINING	6
13	OIL AND GAS EXTRACTION	2
14	MINING AND QUARRYING OF NONMETALLIC MINERALS, EXCEPT FUELS	334
16	HEAVY CONSTRUCTION, EXCEPT BUILDING CONSTRUCTION - CONTRACTORS	1
17	CONSTRUCTION - SPECIAL TRADE CONTRACTORS	4
20	FOOD AND KINDRED PRODUCTS	123
23	APPAREL, FINISHED PRODUCTS FROM FABRICS & SIMILAR MATERIALS	1
24	LUMBER AND WOOD PRODUCTS, EXCEPT FURNITURE	59
25	FURNITURE AND FIXTURES	14
26	PAPER AND ALLIED PRODUCTS	23
27	PRINTING, PUBLISHING AND ALLIED INDUSTRIES	48
27	* PRINTING, PUBLISHING AND ALLIED INDUSTRIES	1
28	CHEMICALS AND ALLIED PRODUCTS	134
29	PETROLEUM REFINERIES AND RELATED INDUSTRIES	115
29	* PETROLEUM REFINERIES AND RELATED INDUSTRIES	1
30	RUBBER AND MISCELLANEOUS PLASTIC PRODUCTS	63
31	LEATHER AND LEATHER PRODUCTS	5
32	STONE, CLAY, GLASS, AND CONCRETE PRODUCTS	340
33	PRIMARY METAL INDUSTRIES	44
34	FABRICATED METAL PRODUCTS, EXCEPT MACHINERY & TRANSPORT EQUIPMENT	67
34	* FABRICATED METAL PRODUCTS, EXCEPT MACHINERY & TRANSPORT EQUIPMENT	1
35	INDUSTRIAL AND COMMERCIAL MACHINERY AND COMPUTER EQUIPMENT	41
36	ELECTRONIC, ELECTRICAL EQUIPMENT AND COMPONENTS, EXCEPT COMPUTER EQUIPMENT	21
37	TRANSPORTATION EQUIPMENT	52
38	MEDICAL/ANALYTICAL/CONTROL INSTRUMENTS; PHOTO/MEDICAL/OPTICAL GOODS; WATCH/CLOCKS	3
39	MISCELLANEOUS MANUFACTURING INDUSTRIES	10
41	LOCAL, SUBURBAN TRANSIT & INTERSUBURBAN HIGHWAY PASSENGER TRANSPORT	1
42	MOTOR FREIGHT TRANSPORTATION	17
43	* UNITED STATES POSTAL SERVICE	1
44	WATER TRANSPORTATION	6
45	TRANSPORTATION BY AIR	4
45	* TRANSPORTATION BY AIR	3



46	PIPELINES, EXCEPT NATURAL GAS	16
47	TRANSPORTATION SERVICES	1
48	COMMUNICATIONS	6
49	ELECTRIC, GAS, AND SANITARY SERVICES	130
49	* ELECTRIC, GAS, AND SANITARY SERVICES	81
50	WHOLESALE TRADE - DURABLE GOODS	20
51	WHOLESALE TRADE - NONDURABLE GOODS	172
52	BUILDING MATERIALS, HARDWARE, GARDEN SUPPLY & MOBILE HOME DEALERS	1
55	AUTOMOTIVE DEALERS AND GASOLINE SERVICE STATIONS	1
59	MISCELLANEOUS RETAIL	1
62	SECURITY & COMMODITY BROKERS, DEALERS, EXCHANGES & SERVICES	1
65	REAL ESTATE	1
72	PERSONAL SERVICES	68
72	* PERSONAL SERVICES	2
73	BUSINESS SERVICES	9
75	AUTOMOTIVE REPAIR, SERVICES AND PARKING	8
75	* AUTOMOTIVE REPAIR, SERVICES AND PARKING	1
76	MISCELLANEOUS REPAIR SERVICES	5
79	AMUSEMENT AND RECREATION SERVICES	2
79	* AMUSEMENT AND RECREATION SERVICES	1
80	HEALTH SERVICES	34
80	* HEALTH SERVICES	16
82	EDUCATIONAL SERVICES	8
82	* EDUCATIONAL SERVICES	10
83	* SOCIAL SERVICES	1
87	ENGINEERING, ACCOUNTING, RESEARCH, MANAGEMENT & RELATED SERVICES	9
87	* ENGINEERING, ACCOUNTING, RESEARCH, MANAGEMENT & RELATED SERVICES	1
91	* EXECUTIVE, LEGISLATIVE & GENERAL GOVERNMENT, EXCEPT FINANCE	1
92	* JUSTICE, PUBLIC ORDER AND SAFETY	14
95	* ADMINISTRATION OF ENVIRONMENTAL QUALITY AND HOUSING PROGRAMS	1
97	* NATIONAL SECURITY AND INTERNATIONAL AFFAIRS	7
Grand Total		2229

Note: With "\*" Denotes Public Facilities and without "\*" denotes Private Facilities

143 public entities represents approximately 15% of total chargeable emissions

2086 private entities represents approximately 85% of total chargeable emissions

#### IV. ASSUMPTIONS

1. An annualized aggregate cost of this rulemaking is used for the purposes of providing the aggregate cost for the life of the rule. The annualized aggregate cost is the agency estimate of the average costs that will be incurred in any future year, no matter how far distant. For the convenience of calculating this fiscal note over a reasonable time frame, the life of the rule is assumed to be five (5) years although the duration of the rule is indefinite. If the life of the rule extends beyond 5 years, the annual costs for additional years will be consistent with the assumptions used to calculate annual costs as identified in this fiscal note.
2. The public entity costs are air emission fee collection estimates for future years. The projected costs are based on the most recent actual data available to the department which is FY 2013 data.
3. Actual fee revenue is based on chargeable emissions reported on Emission Inventory Questionnaires submitted annually by entities required to have an operating permit, construction permit or permit by rule. The baseline FY 2013 fee revenue data represents chargeable emissions as of December 31, 2012.
4. Fees for public entities are based on \$48.00 per ton of applicable air pollutant per paragraph (3)(A)1. of 10 CSR 10-6.110 for calendar years 2015 (collected in FY 2016) and beyond. The fee applies to the first 4,000 tons of a single pollutant, up to no more than 12,000 tons of combined pollutants total. This fee represents an \$8.00

increase from the emission fee of \$40.00 per ton of regulated air pollutant for calendar years 2015 and beyond.

5. Actual fee revenues collected in FY 2013 were used as basis for future year emission fee estimates. Future year cost estimates are based on FY 2013 fee revenues decreasing 6% for FY 2014, the FY 2014 fee revenues decreasing 8% for FY 2015, and FY 2015 decreasing 5% for FY 2016 due to anticipated process changes, facility retirements, added control equipment, etc. as a result of upcoming federal regulations being released. This establishes the projected FY 2016 chargeable emissions as 135,098 tons.
6. The projected FY 2016 chargeable emissions are estimated to decrease 5% per year thereafter due to anticipated process changes, facility retirements, added control equipment, etc. as a result of upcoming federal regulations being released.
7. This cost estimate is based on public entities representing 15% of the total chargeable emissions in a year. This percentage is based on calendar year 2012 data.
8. The fees for emissions produced during the previous calendar year are due June 1 each year per paragraph (3)(A)6. of 10 CSR 10-6.110. For example, calendar year 2015 emission fees are received by the Missouri Department of Natural Resources between January 1, 2016 and June 1, 2016.
9. The amount of emission fees paid by public entities may vary depending on their current operating conditions since their resultant fees are directly related to the amount of their emissions.
10. The aggregate gain in public entity fee revenue for the Missouri Department of Natural Resources' Air Pollution Control Program is directly related to the difference in emission fees. The net gain in revenue is equivalent to the amount of gain realized by both public and private entities paying emission fees.
11. This fiscal note only includes estimated costs for changes made as a result of this proposed amendment.
12. The yearly decrease in emissions estimates provided by the Air Pollution Control Program's Emissions Inventory Questionnaire Unit is based on recent rule changes, economic factors, and information from the program's permit, planning, and enforcement staff as well as information submitted by electric generation facilities and made available by the U.S. Energy Information Administration. These estimates only include information on facilities with documented changes that affect emissions.
13. Note that numbers in charts are shown as whole numbers but actual numbers may include decimal places which may appear to be a variance in totals.

# FISCAL NOTE PRIVATE COST

- I. Department Title:** 10 – Department of Natural Resources  
**Division Title:** 10 – Air Conservation Commission  
**Chapter Title:** 6 – Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control Regulations for the Entire State of Missouri

<b>Rule Number and Name:</b>	10 CSR 10 – 6.110 Reporting Emission Data, Emission Fees, and Process Information
<b>Type of Rulemaking:</b>	Proposed Amendment

## II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
2,229 Total Facilities of which 2,086 are Private Entities (See list of affected entities below)	Listed below	\$ 967,019 Annualized Aggregate \$ 4,835,095 For Projected 5-Year Life

## III. WORKSHEET

Actual FY 2013 Fee Revenue Collected = \$7,651,695

Projected FY 2014 Fee Revenue Collected = \$7,192,593 (Assuming 6 % decrease in fee revenue from FY 2013 revenue)

Projected FY 2015 Fee Revenue Collected = \$6,617,186 (Assuming 8 % decrease in fee revenue from FY 2014 revenue)

Projected FY 2016 Fee Revenue Collected = \$6,286,326 (Assuming 5 % decrease in fee revenue from FY 2015 revenue)

FY 2016 Projected Revenue Collection From Emission Fees = \$6,286,326

Current Emission Fee = \$40.00

FY 2016 Projected Chargeable Tons of Emissions/Year =  $\frac{\text{FY 2016 Projected Revenue Collection From Emission Fees}}{\text{Current Emission Fee}}$

FY 2016 Projected Chargeable Tons of Emissions/Year = 157,158

Proposed Emission Fee = \$48.00

Fiscal Year	Percent yearly decrease in Collection from Fees	Tons of Chargeable Emissions	Estimated Emission Fee Collection (with fee change)	Estimated Emission Fee Collection (without fee change)	Cost to Affected Entities due to Fee Increase
2016 (1/1 - 6/30/16)	-	157,158	\$7,543,591	\$6,286,326	\$1,257,265
2017	5%	149,300	\$7,166,412	\$5,972,010	\$1,194,402
2018	5%	141,835	\$6,808,091	\$5,673,409	\$1,134,682
2019	5%	134,743	\$6,467,687	\$5,389,739	\$1,077,948
2020	5%	128,006	\$6,144,302	\$5,120,252	\$1,024,050
2021 (7/1 - 12/31/20)	5%	121,606	\$0 *	\$0 *	\$0 *
Cost projected over 5 years			\$34,130,084	\$28,441,737	\$5,688,347

\* Although chargeable emissions are accrued, emission fees are collected in the later part of FY 2021.

- 157,158 = Projected chargeable tons per year for FY 2016 fee collection  
 5% = Projected decrease in chargeable tons of emissions per year beyond FY 2016  
 \$48.00 = Proposed new emissions fee  
 \$40.00 = Existing emissions fee  
 85% = Estimated percentage of total chargeable emissions attributable to private entities

Projected Total Emission Fees Collected (with proposed new fee) - Public & Private							
	FY 2016 (1/1-6/30/16)	FY 2017*	FY 2018	FY 2019	FY 2020	FY 2021 (7/1-12/31/20)	5-Year Cost
Projected chargeable tons per year for Fee Collection	157,158	149,300	141,835	134,743	128,006	121,606	832,649
Emission Fees	\$7,543,591	\$7,166,412	\$6,808,091	\$6,467,687	\$6,144,302	\$0***	\$34,130,084

Projected Total Emission Fees Collected (with existing fee) - Public & Private							
	FY 2016 (1/1-6/30/16)	FY 2017*	FY 2018	FY 2019	FY 2020	FY 2021 (7/1-12/31/20)	5-Year Cost
Projected chargeable tons per year for Fee Collection	157,158	149,300	141,835	134,743	128,006	121,606	832,649
Emission Fees	\$6,286,326	\$5,972,010	\$5,673,409	\$5,389,739	\$5,120,252	\$0***	\$28,441,737

New/Existing Emission Fees Cost Difference For Public & Private	\$1,257,265	\$1,194,402	\$1,134,682	\$1,077,948	\$1,024,050	\$0***	
New/Existing Emission Fees Cost Difference For Private Only (85% of Public & Private)	\$1,068,675	\$1,015,242	\$964,480	\$916,256	\$870,443	\$0***	

Projected 5-Year Aggregate Increase in Emission Fee Amount Collected	\$5,688,347
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Estimated Annualized Aggregate For Public and Private Entity Emission Fee Cost For This Amendment**	\$1,137,669
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Estimated Annualized Aggregate For Private Entity Cost Only For This Amendment (85% of Public & Private)	\$967,019
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- \* The first full fiscal year for this rulemaking is FY 2017.  
 \*\* Difference in estimate annualized aggregate costs when raising \$40.00 fee to \$48.00.  
 \*\*\* Although chargeable emissions are accrued, emission fees are collected in the later part of FY 2021.

#### List of Affected Entities:

SIC Code	SIC Description	# of 2012 Affected Entities (Public and Private)
01	AGRICULTURAL PRODUCTION - CROPS	1
02	AGRICULTURAL PRODUCTION - LIVESTOCK AND ANIMAL SPECIALTIES	3
07	AGRICULTURAL SERVICES	40
10	METAL MINING	11
12	COAL MINING	6
13	OIL AND GAS EXTRACTION	2
14	MINING AND QUARRYING OF NONMETALLIC MINERALS, EXCEPT FUELS	334
16	HEAVY CONSTRUCTION, EXCEPT BUILDING CONSTRUCTION - CONTRACTORS	1
17	CONSTRUCTION - SPECIAL TRADE CONTRACTORS	4
20	FOOD AND KINDRED PRODUCTS	123
23	APPAREL, FINISHED PRODUCTS FROM FABRICS & SIMILAR MATERIALS	1
24	LUMBER AND WOOD PRODUCTS, EXCEPT FURNITURE	59
25	FURNITURE AND FIXTURES	14
26	PAPER AND ALLIED PRODUCTS	23
27	PRINTING, PUBLISHING AND ALLIED INDUSTRIES	48
27	* PRINTING, PUBLISHING AND ALLIED INDUSTRIES	1
28	CHEMICALS AND ALLIED PRODUCTS	134
29	PETROLEUM REFINERIES AND RELATED INDUSTRIES	115
29	* PETROLEUM REFINERIES AND RELATED INDUSTRIES	1
30	RUBBER AND MISCELLANEOUS PLASTIC PRODUCTS	63
31	LEATHER AND LEATHER PRODUCTS	5
32	STONE, CLAY, GLASS, AND CONCRETE PRODUCTS	340
33	PRIMARY METAL INDUSTRIES	44
34	FABRICATED METAL PRODUCTS, EXCEPT MACHINERY & TRANSPORT EQUIPMENT	67
34	* FABRICATED METAL PRODUCTS, EXCEPT MACHINERY & TRANSPORT EQUIPMENT	1
35	INDUSTRIAL AND COMMERCIAL MACHINERY AND COMPUTER EQUIPMENT	41
36	ELECTRONIC, ELECTRICAL EQUIPMENT AND COMPONENTS, EXCEPT COMPUTER EQUIPMENT	21
37	TRANSPORTATION EQUIPMENT	52
38	MEDICAL/ANALYTICAL/CONTROL INSTRUMENTS; PHOTO/MEDICAL/OPTICAL GOODS; WATCH/CLOCKS	3
39	MISCELLANEOUS MANUFACTURING INDUSTRIES	10
41	LOCAL, SUBURBAN TRANSIT & INTERSUBURBAN HIGHWAY PASSENGER TRANSPORT	1
42	MOTOR FREIGHT TRANSPORTATION	17
43	* UNITED STATES POSTAL SERVICE	1

44	WATER TRANSPORTATION	6
45	TRANSPORTATION BY AIR	4
45	* TRANSPORTATION BY AIR	3
46	PIPELINES, EXCEPT NATURAL GAS	16
47	TRANSPORTATION SERVICES	1
48	COMMUNICATIONS	6
49	ELECTRIC, GAS, AND SANITARY SERVICES	130
49	* ELECTRIC, GAS, AND SANITARY SERVICES	81
50	WHOLESALE TRADE - DURABLE GOODS	20
51	WHOLESALE TRADE - NONDURABLE GOODS	172
52	BUILDING MATERIALS, HARDWARE, GARDEN SUPPLY & MOBILE HOME DEALERS	1
55	AUTOMOTIVE DEALERS AND GASOLINE SERVICE STATIONS	1
59	MISCELLANEOUS RETAIL	1
62	SECURITY & COMMODITY BROKERS, DEALERS, EXCHANGES & SERVICES	1
65	REAL ESTATE	1
72	PERSONAL SERVICES	68
72	* PERSONAL SERVICES	2
73	BUSINESS SERVICES	9
75	AUTOMOTIVE REPAIR, SERVICES AND PARKING	8
75	* AUTOMOTIVE REPAIR, SERVICES AND PARKING	1
76	MISCELLANEOUS REPAIR SERVICES	5
79	AMUSEMENT AND RECREATION SERVICES	2
79	* AMUSEMENT AND RECREATION SERVICES	1
80	HEALTH SERVICES	34
80	* HEALTH SERVICES	16
82	EDUCATIONAL SERVICES	8
82	* EDUCATIONAL SERVICES	10
83	* SOCIAL SERVICES	1
87	ENGINEERING, ACCOUNTING, RESEARCH, MANAGEMENT & RELATED SERVICES	9
87	* ENGINEERING, ACCOUNTING, RESEARCH, MANAGEMENT & RELATED SERVICES	1
91	* EXECUTIVE, LEGISLATIVE & GENERAL GOVERNMENT, EXCEPT FINANCE	1
92	* JUSTICE, PUBLIC ORDER AND SAFETY	14
95	* ADMINISTRATION OF ENVIRONMENTAL QUALITY AND HOUSING PROGRAMS	1
97	* NATIONAL SECURITY AND INTERNATIONAL AFFAIRS	7
Grand Total		2229

Note: With "\*" Denotes Public Facilities and without "\*" denotes Private Facilities

143 public entities represents approximately 15% of total chargeable emissions

2086 private entities represents approximately 85% of total chargeable emissions

#### IV. ASSUMPTIONS

1. An annualized aggregate cost of this rulemaking is used for the purposes of providing the aggregate cost for the life of the rule. The annualized aggregate cost is the agency estimate of the average costs that will be incurred in any future year, no matter how far distant. For the convenience of calculating this fiscal note over a reasonable time frame, the life of the rule is assumed to be five (5) years although the duration of the rule is indefinite. If the life of the rule extends beyond 5 years, the annual costs for additional years will be consistent with the assumptions used to calculate annual costs as identified in this fiscal note.
2. The private entity costs are air emission fee collection estimates for future years. The projected costs are based on the most recent actual data available to the department which is FY 2013 data.
3. Actual fee revenue is based on chargeable emissions reported on Emission Inventory Questionnaires submitted annually by entities required to have an operating permit, construction permit or permit by rule. The baseline FY 2013 fee revenue data represents chargeable emissions as of December 31, 2012.
4. Fees for private entities are based on \$48.00 per ton of applicable air pollutant per paragraph (3)(A)1. of 10 CSR 10-6.110 for calendar years 2015 (collected in FY



2016) and beyond. The fee applies to the first 4,000 tons of a single pollutant, up to no more than 12,000 tons of combined pollutants total. This fee represents an \$8.00 increase from the emission fee of \$40.00 per ton of regulated air pollutant for calendars year 2015 and beyond.

5. Actual fee revenues collected in FY 2013 were used as basis for future year emission fee estimates. Future year cost estimates are based on FY 2013 fee revenues decreasing 6% for FY 2014, the FY 2014 fee revenues decreasing 8% for FY 2015, and FY 2015 decreasing 5% for FY 2016 due to anticipated process changes, facility retirements, added control equipment, etc. as a result of upcoming federal regulations being released. This establishes the projected FY 2016 chargeable emissions as 135,098 tons.
6. The projected FY 2016 chargeable emissions are estimated to decrease 5% per year thereafter due to anticipated process changes, facility retirements, added control equipment, etc. as a result of upcoming federal regulations being released.
7. This cost estimate is based on private entities representing 85% of the total chargeable emissions in a year. This percentage is based on calendar year 2012 data.
8. The fees for emissions produced during the previous calendar year are due June 1 each year per paragraph (3)(A)6. of 10 CSR 10-6.110. For example, calendar year 2015 emission fees are received by the Missouri Department of Natural Resources between January 1, 2016 and June 1, 2016.
9. The amount of emission fees paid by private entities may vary depending on their current operating conditions since their resultant fees are directly related to the amount of their emissions.
10. The aggregate gain in private entity fee revenue for the Missouri Department of Natural Resources' Air Pollution Control Program is directly related to the difference in emission fees. The net gain in revenue is equivalent to the amount of gain realized by both public and private entities paying emission fees.
11. This fiscal note only includes estimated costs for changes made as a result of this proposed amendment.
12. The yearly decrease in emissions estimates provided by the Air Pollution Control Program's Emissions Inventory Questionnaire Unit is based on recent rule changes, economic factors, and information from the program's permit, planning, and enforcement staff as well as information submitted by electric generation facilities and made available by the U.S. Energy Information Administration. These estimates only include information on facilities with documented changes that affect emissions.
13. Note that numbers in charts are shown as whole numbers but actual numbers may include decimal places which may appear to be a variance in totals.

**Title 13—DEPARTMENT OF SOCIAL SERVICES  
Division 70—MO HealthNet Division  
Chapter 3—Conditions of Provider Participation,  
Reimbursement and Procedure of General Applicability**

**PROPOSED AMENDMENT**

**13 CSR 70-3.030 Sanctions for False or Fraudulent Claims for MO HealthNet Services.** The division is amending section (1).

*PURPOSE:* This amendment updates the incorporated by reference material date in section (1).

(1) Administration.

(A) The MO HealthNet program shall be administered by the Department of Social Services, MO HealthNet Division. The services covered and not covered, the limitations under which services are covered, and the maximum allowable fees for all covered services shall be determined by the division and shall be included in the MO HealthNet provider manuals, which are incorporated by reference and made a part of this rule as published by the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109, at its website [dss.mo.gov/mhd](http://dss.mo.gov/mhd), [October 15, 2013] **September 15, 2014**. This rule does not incorporate any subsequent amendments or additions.

*AUTHORITY:* sections 208.153 and 208.201, RSMo Supp. 2013. This rule was previously filed as 13 CSR 40-81.160. Original rule filed Sept. 22, 1979, effective Feb. 11, 1980. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Aug. 15, 2014.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109. To be considered, comments must be delivered by regular mail, express or overnight mail, in person, or by courier within thirty (30) days after publication of this notice in the *Missouri Register*. If to be hand delivered, comments must be brought to the MO HealthNet Division at 615 Howerton Court, Jefferson City, Missouri. No public hearing is scheduled.

**Title 13—DEPARTMENT OF SOCIAL SERVICES  
Division 70—MO HealthNet Division  
Chapter 10—Nursing Home Program**

**PROPOSED AMENDMENT**

**13 CSR 70-10.160 Public/Private Long-Term Care Services and Supports Partnership Supplemental Payment to Nursing Facilities.** The division is amending section (1) and adding section (2).

*PURPOSE:* This amendment allows supplement payments to public nursing facilities that have qualified IGT agreements with the Department of Social Services.

(1) Effective for dates of service on or after April 1, 2012, through **June 30, 2013**, supplemental payments will be made as set forth in subsections (1)(A)–(1)(D) in each following calendar quarter from the Long-Term Support **Upper Payment Limit (UPL)** Fund to qualifying private and public nursing facilities for services rendered dur-

ing the quarter on or after April 1, 2012 through **June 30, 2013**. Maximum payments to all qualifying private and public nursing facilities shall not exceed the upper payment limit defined in 42 CFR 447.272 in each state fiscal year.

(2) Effective for dates of service beginning July 1, 2013, Nursing Facility UPL Payments shall be made as set forth below in subsections (2)(A)–(2)(C). Maximum aggregate payments to all qualifying nursing facilities shall not exceed the upper payment limit defined in 42 CFR 447.272 in each state fiscal year.

(A) An annual UPL Payment shall be made at the end of each state fiscal year (SFY) to qualifying nursing facilities.

(B) Qualifying Criteria. Public nursing facilities that have executed an agreement with the department are eligible for a UPL Payment and shall be referred to as qualifying nursing facilities. In addition, to qualify for the UPL Payment, each nursing facility must be enrolled in the Medicaid program at the time the UPL payments are calculated and made.

(C) Reimbursement Methodology. The annual UPL Payment will be made to qualifying nursing facilities based on each facility's unreimbursed costs determined from the facility's second prior year Medicaid cost report, subject to the Medicare Upper Payment Limit.

*AUTHORITY:* section 208.201, RSMo Supp. 2013. Original rule filed Feb. 15, 2012, effective Aug. 30, 2012. Amended: Filed July 1, 2013, effective Jan. 30, 2014. Amended: Filed Aug. 15, 2014.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109. To be considered, comments must be delivered by regular mail, express or overnight mail, in person, or by courier within thirty (30) days after publication of this notice in the *Missouri Register*. If to be hand-delivered, comments must be brought to the MO HealthNet Division at 615 Howerton Court, Jefferson City, Missouri. No public hearing is scheduled.

**Title 13—DEPARTMENT OF SOCIAL SERVICES  
Division 70—[Division of Medical Services]  
MO HealthNet Division  
Chapter 65—Rehabilitation Center Program**

**PROPOSED AMENDMENT**

**13 CSR 70-65.010 Rehabilitation Center Program.** The division is amending the purpose statement and sections (1)–(7) and changing the division name.

*PURPOSE:* This amendment updates the reference date in section (1), and the terminology in the purpose statement and in sections (1)–(7).

*PURPOSE:* This rule establishes the regulatory basis for the administration of the rehabilitation center program. This rule provides for such methods and procedures relating to the utilization of, and the payment for, care and services available through the [Medicaid] MO HealthNet program as may be necessary to safeguard against unnecessary utilization of such care and services and to assure that payments are consistent with efficiency, economy, and quality of care

and are sufficient to enlist enough providers so that care and services are available under the plan at least to the extent that such care and services are available to the general population in the geographic area. Specific details of provider participation, criteria and methodology for provider reimbursement, [recipient] participant eligibility, and amount, duration, and scope of services covered are included in the rehabilitation center provider manual which is available at the website [www.dss.mo.gov/dms/mhd].

(1) Administration. The [Missouri Medicaid] MO HealthNet rehabilitation center program shall be administered by the Department of Social Services, [Division of Medical Services] MO HealthNet Division. The rehabilitation center services covered and not covered, the limitations under which services are covered, and the maximum allowable fees for all covered services shall be determined by the [Division of Medical Services] MO HealthNet Division and shall be included in the rehabilitation center provider manual and bulletins, which are incorporated by reference and made a part of this rule as published by the Department of Social Services, [Division of Medical Services] MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109, at its website at [www.dss.mo.gov/dms/mhd, July 1, 2006] September 15, 2014. This rule does not incorporate any subsequent amendments or additions. Rehabilitation center services shall include only those that are clearly shown to be medically necessary as determined by the treating physician. The division reserves the right to affect changes in services, limitations, and fees with notification to rehabilitation center providers by amending this rule.

(2) Persons Eligible. The [Missouri Medicaid] MO HealthNet Rehabilitation Program pays for the adaptive training of [Medicaid recipients] MO HealthNet participants who receive a prosthetic/orthotic device. In addition, rehabilitation centers may provide physical, occupational, and speech therapy to children under the age of twenty-one (21) when medically necessary as determined by the treating physician. The Omnibus Reconciliation Act of 1989 (OBRA-89) mandated that [Medicaid] MO HealthNet covered services be provided based on medical necessity as determined by the treating physician in a healthy children and youth screening. The [recipient] participant must be eligible on the date service is furnished. [Recipients] Participants may have specific limitations to rehabilitation center program services according to the type of assistance for which they have been determined eligible. It is the provider's responsibility to determine the coverage benefits for a [recipient] participant based on his or her type of assistance as outlined in the rehabilitation center provider manual. The provider shall ascertain the patient's [Medicaid/MC+] MO HealthNet/MO HealthNet Managed Care status before any service is performed. The [recipient's] participant's eligibility shall be verified in accordance with methodology outlined in the rehabilitation center provider manual.

(3) Provider Participation.

(A) To be eligible for participation in the [Missouri Medicaid] MO HealthNet rehabilitation center program, a provider must meet the criteria specified for his or her profession as outlined in the rehabilitation center provider manual and be an enrolled [Medicaid] MO HealthNet provider.

(B) The enrolled [Medicaid] MO HealthNet provider shall agree to[:]

1. Keep any records necessary to disclose the extent of services the provider furnishes to [recipients] participants; and
2. On request furnish to the [Medicaid agency] Department of Social Services or State Medicaid Fraud Control Unit any information regarding payments claimed by the provider for furnishing services under the plan.

(4) Covered Services. The [recipient] participant shall have a referral for speech therapy services from a [Medicaid] MO HealthNet

enrolled primary care provider. The [recipient] participant shall have a prescription for occupational and physical therapy services from a [Medicaid] MO HealthNet enrolled primary care provider.

(5) Reimbursement. Payment will be made in accordance with the fee per unit of service as defined and determined by the [Division of Medical Services] MO HealthNet Division. Providers must bill their usual and customary charge for rehabilitation center services. Reimbursement will not exceed the lesser of the maximum allowed amount determined by the [Division of Medical Services] MO HealthNet Division or the provider's billed charges. Rehabilitation services are only payable to an enrolled, eligible, participating provider.

(6) Documentation. For physical, occupational, and speech therapy services, the [Division of Medical Services] MO HealthNet Division requires that the following documentation be included in the [recipient's] participant's record:

- (A) [Recipient's] Participant's complete name;
- (C) Actual treatment provided for the [recipient] participant (more than "treatment given") on the specific date of service;
- (G) The official Individual Education Plan (IEP) or Individual Family Services Plan (IFSP) which must be in the record when billing therapy with a [WQ] TM or TR modifier.

(7) Records Retention. These records must be retained for five (5) years from the date of service. Fiscal and medical records coincide with and fully document services billed to the [Medicaid agency] MO HealthNet Division. Providers must furnish or make the records available for inspection or audit by the Department of Social Services or its representative upon request. Failure to furnish, reveal, or retain adequate documentation for services billed to the [Medicaid] MO HealthNet program, as specified above, is a violation of this regulation.

**AUTHORITY:** sections 208.153 and 208.201, RSMo [2000] Supp. 2013. Original rule filed Nov. 1, 2002, effective April 30, 2003. Amended: Filed June 1, 2006, effective Dec. 30, 2006. Amended: Filed Aug. 15, 2014.

**PUBLIC COST:** The proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** The proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109. To be considered, comments must be delivered by regular mail, express or overnight mail, in person, or by courier within thirty (30) days after publication of this notice in the Missouri Register. If to be hand delivered, comments must be brought to the MO HealthNet Division at 615 Howerton Court, Jefferson City, Missouri. No public hearing is scheduled.

### Title 13—DEPARTMENT OF SOCIAL SERVICES Division 70—MO HealthNet Division Chapter 100—Missouri Rx Plan

#### PROPOSED RULE

#### 13 CSR 70-100.010 Missouri Rx Plan Benefits and Limitations

**PURPOSE:** This rule establishes the benefits and limitations for administering the Missouri Rx Plan, Missouri's State Pharmacy



*Assistance Program, to provide prescription drug assistance to Missourian's sixty-five (65) years of age and older or disabled and receiving Social Security benefits in need of coordinating benefits with Medicare's Prescription Drug (Part D) Program.*

(1) Administration. The Missouri Rx Plan shall be administered by the Department of Social Services, MO HealthNet Division.

(2) Definitions.

(A) Applicant—A person who applies to participate in the Missouri Rx Plan, either personally or through an authorized representative.

(B) Application—The form completed and submitted to the Missouri Rx Plan by an applicant which is used to determine the applicant's eligibility to participate in the Missouri Rx Plan.

(C) Authorized Representative—If an applicant is incapable of submitting an application on his or her own behalf, the Missouri Rx Plan shall accept one (1) of the following persons designated by the applicant:

1. A close relative by blood or marriage, such as a parent, spouse, son, daughter, brother, or sister;

2. A representative payee designated by the Social Security Administration; or

3. A representative of a public/private social service agency, which the applicant is a client, who has been designate by the agency to so act.

(D) Household Income—The combined gross income of all the related or non-related members of a household.

(E) Liquid Assets—Assets that can be converted to cash in a short time with little or no loss in value including such assets as checking and savings accounts, certificates of deposit, stocks, bonds, savings bonds, mutual funds, Individual Retirement Account or similar investment, cash, and value of real estate other than the primary residence.

(F) Member—A person who meets the eligibility requirements of the Missouri Rx Plan and has been enrolled in the Missouri Rx Plan.

(G) Missouri Rx Plan—The state pharmacy assistance program administered by the Department of Social Services, MO HealthNet Division.

(H) Out-of-pocket costs—Means the deductible and co-pays required for prescription drug. The Missouri Rx Plan does not pay for the Medicare Part D monthly premium.

(3) Eligibility. To qualify for the Missouri Rx Plan the individual must be—

(A) A U.S. citizen or a lawfully admitted alien;

(B) A Missouri resident, a person who has or intends to have a fixed place of residence in Missouri, with the present intent of maintaining a permanent home in Missouri for the indefinite future; and

(C) Sixty-five (65) years of age or older; or

(D) Be an individual between the ages of nineteen (19) and sixty-four (64) who is disabled and receiving a Social Security Benefit; and

(E) Enrolled in a Medicare Part D prescription drug plan; and

(F) Is not a member of a retirement plan that is receiving a benefit under the Medicare Prescription Drug, Improvement and Modernization Act of 2003, P.L. 108-173; and

(G) Has an annual household income not to exceed one hundred eighty-five percent (185%) of the federal poverty level (FPL), subject to appropriations. The Federal Poverty Level is published annually. The revised income eligibility standard will be used to determine eligibility for the month following the month in which the standard is issued; and

(H) An individual who is an inmate of a public institution is not eligible for Missouri Rx Plan.

(4) Application process. The application for the Missouri Rx Plan must be made in writing on the prescribed form. The request for

assistance can be made by the applicant, guardian, or other individual acting for the applicant with the applicant's knowledge and consent. The application filing date is the date the application is received by the MO HealthNet Division. The MO HealthNet will consider an application without regard to race, color, age, sex, disability, religion, national origin, or political belief as per Title VI of the Civil Rights Act of 1964. The application shall require the applicant to attest to the following information:

(A) Date of birth;

(B) Social Security number;

(C) Medicare claim number;

(D) Self-certification of Missouri residency;

(E) Mailing address;

(F) Contact information;

(G) Self-certification of household income;

(H) Self-certification of liquid assets;

(I) Certification and attestation statement;

(J) Signature of applicant or authorized representative;

(K) Name of Medicare Part D Prescription Drug Plan; and

(L) Additional information as may be necessary to comply with state or federal law.

(5) The applicant shall submit the following documentation with the application:

(A) Copy of Medicare Health Insurance Card; and

(B) Copy of Social Security Card.

(6) The MO HealthNet Division shall have the right to a review and audit of information on the application form, with a reasonable prior notice to the applicant, if selected for review.

(A) The Missouri Rx Plan may require documentation to verify Missouri residency. Documentation of Missouri residency may include one (1) of the following:

1. Valid driver's license;

2. Valid Missouri state identification card;

3. Voter registration card; or

4. Utility bill with address.

(B) The Missouri Rx Plan may require documentation to verify income. Documentation of income may include one (1) of the following:

1. Social Security benefits—as paid after deduction of Medicare premium;

2. Pension—as paid;

3. Veterans Administration Pension—as paid;

4. U.S. Railroad Retirement Benefits—as paid;

5. Wages—net amount after deductions for taxes and Federal Insurance Contributions Act (FICA);

6. Interest/Dividends—gross amount;

7. Capital Gains—gross amount from capital gains on stocks, mutual funds, and bonds;

8. Credit Life or Credit Disability Insurance Payments—as paid;

9. Alimony—as paid;

10. Rental income from an entire dwelling—gross rent paid minus standard deduction of twenty percent (20%) for expenses;

11. Roomer/Boarder Income—gross room/board paid minus standard deduction of ten percent (10%) for expenses;

12. Self Employment—countable income as reported to Internal Revenue Service (IRS);

13. Unemployment Compensation—as paid; or

14. Additional information, as may be necessary to verify income.

(7) Program eligibility will be denied or terminated if the applicant refuses to cooperate with the request for verification information. If all verification information requested is not received by the due date, an eligibility determination cannot be made. This will result in denial of the application. Verification that is provided or received may

reveal a new eligibility issue not previously realized that requires additional verification. If the additional verification requested is not received by the due date given, the application will be denied or the individual terminated from the Missouri Rx Plan.

(8) The applicant shall assist the Missouri Rx Plan in securing corroboration of the applicant's information on the application form and required documentation when necessary. Program eligibility will be denied or terminated if the applicant refused to cooperate with the request.

(9) Individuals who are enrolled in Medicare and Medicaid (dual eligibles) are deemed to have enrolled in the Missouri Rx Plan.

(10) Effective Date of Coverage. Coverage begins on the date the applicant is determined eligible for the Missouri Rx Plan. There is no retroactive coverage. Eligible individuals will receive an identification card from the Missouri Rx Plan.

(11) Benefit Limits.

(A) The Missouri Rx Plan shall pay fifty percent (50%) of the member's out-of-pocket costs for prescription drugs covered by the Medicare Prescription Drug Program and by the members Medicare Part D Plan formulary.

(B) The Missouri Rx Plan shall have the authority to change the benefit limits at any time to achieve program cost control.

(12) Member's Responsibilities.

(A) The member shall notify the Missouri Rx Plan within ten (10) days of any change in circumstances when the member no longer meets the eligibility requirements set forth in sections 208.780 to 208.798, RSMo and regulations.

(B) The authorized representative or other responsible person shall notify the Missouri Rx Plan of the death of a member within sixty (60) days of the member's death.

(13) Annual review. Missouri Rx Plan members do not need to reapply every year. Once a member is enrolled, the member does not need to reapply. Missouri Rx Plan members receive a notice to update their information from the Missouri Rx Plan. Failure to return the requested information will result in termination of eligibility. A redetermination is completed when all eligibility factors are examined and a decision regarding continued eligibility is reached.

(14) Termination from the Program.

(A) A member shall be terminated from the Missouri Rx Plan if he or she no longer meets the eligibility requirements under sections 208.780 to 208.798, RSMo or this regulation.

(15) Confidentiality. The Missouri Rx Plan will provide safeguards that restrict the use or disclosure of information about applicants and members to purposes directly connected with the administration of the Missouri Rx Plan. Purposes directly related to administration of the Missouri Rx Plan include establishing eligibility, providing services for members, auditing the Missouri Rx Plan, and conducting or assisting an investigation, prosecution, or civil or criminal proceeding related to the administration of the program.

*AUTHORITY: sections 208.201, 208.780 to 208.798, RSMo Supp. 2013. Original rule filed August 15, 2014.*

*PUBLIC COST: This proposed rule will cost state agencies or political subdivisions twenty-eight (28) million six (6) thousand dollars per year with a five percent (5%) increase each year with adjustments for inflation for the life of the rule.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this amendment with the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109. To be considered, comments must be delivered by regular mail, express or overnight mail, in person, or by courier within thirty (30) days after publication of this notice in the Missouri Register. If to be hand delivered, comments must be brought to the MO HealthNet Division at 615 Howerton Court, Jefferson City, Missouri. No public hearing is scheduled.*

**FISCAL NOTE  
PUBLIC COST**

- I. Department Title:** Title 13 - Department of Social Services  
**Division Title:** Division 70 - MO HealthNet Division  
**Chapter Title:** Chapter 100 – Missouri Rx Plan

<b>Rule Number and Name:</b>	13 CSR 70-100.10
<b>Type of Rulemaking:</b>	Proposed Rule Missouri Rx Plan Benefits and Limitations

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Department of Social Services	\$28.6 million

**III. WORKSHEET**

**IV. ASSUMPTIONS**

General Revenue	\$6.4
Healthy Families Trust Fund	<u>\$4.8</u>
Total Revenue	\$18.8

**Expenditures:**

Administration/Contracts	\$1.2
Current Members Cost (Dual & Non-Duals)	\$23.5
New Non-Duals Members Cost	<u>\$3.9</u>
Total Expenditures	\$28.6

Ending Balance (\$11.4)

**Assumptions:**

Current Membership 230,579

- 174,807 Dual Eligibles
- 55,772 Non-Dual Eligibles

Rebates – Assume the FY13 level will continue

General Revenue – Assume the amount appropriated in FY14 will continue

Healthy Families Trust Fund – Assume the amount appropriated in FY14 will continue

Administration/Contracts – Assume the amount incurred in FY13 will continue

Current Members Costs – Assumed FY13 Cost of \$20.3 m and assumed a 5% increase each year

New Non-Duals Members Cost – Used a regression from July 11 – June 13 to predict the new members

Multiplied the new members by the FY13 PMPM of \$23.03 and assumed a 5% increase in cost each year

Assumed no increase in full duals or partial dual eligibles

**T**his section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order or rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

**T**he agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 13—DEPARTMENT OF SOCIAL SERVICES  
Division 70—MO HealthNet Division  
Chapter 1—Organization**

**ORDER OF RULEMAKING**

By the authority vested in the MO HealthNet Division under sections 208.153 and 208.201, RSMo Supp. 2013, the division amends a rule as follows:

13 CSR 70-1.020 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 15, 2014 (39 MoReg 854-856). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Department of Social Services, MO HealthNet Division received comments on the proposed amendment to the Standards for Privacy of Individually Identifiable Health Information for MO HealthNet participants from Cerner Corporation and Missouri Hospital Association.

**COMMENT #1:** Cerner Corporation expressed their support of the proposed amendment and offered a recommendation of clarification. Cerner encouraged the state to change its' definition of Health Information Network to "a group of hospitals and medical professionals, with or without a formal structure, who share an agreement to exchange personal health information among organizations to facilitate patient care."

**RESPONSE AND EXPLANATION OF CHANGE:** MO HealthNet

appreciates Cerner Corporation's support of the proposed amendment. MO HealthNet will add a portion of the proposed definition change in subsection (2)(D).

**COMMENT #2:** Cerner Corporation recommended a change to the definition of Health Information Network to broaden the definition to include the exchange of data with other Health Information Exchange Organizations and between regional providers who provide treatment for the same patient.

**RESPONSE:** The amendment to this regulation clarifies how the Department of Social Services, MO HealthNet Division uses and shares protected health information of its participants based on federal and state laws and regulations. No changes have been made to the proposed amendment as a result of this comment.

**COMMENT #3:** Cerner Corporation encouraged MO HealthNet to amend text in paragraph (2)(I)1. and subsection (4)(A) to clarify that "the necessary sharing of information through a health information network" added to the definition of "treatment" was "*for treatment purposes.*"

**RESPONSE AND EXPLANATION OF CHANGE:** MO HealthNet will add the clarifying phrase to paragraph (2)(I)1. and subsection (4)(A).

**COMMENT #4:** The Missouri Hospital Association recommended expansion of the definition of "health care operations" "...to include "protocol development" and "contacting of health care providers and patients with information about treatment" as these items are included in the definition of health care operations found at 45 CFR 164.501.

**RESPONSE AND EXPLANATION OF CHANGE:** MO HealthNet concurs with the addition of "protocol development" to the description of "health care operations" in section (4)(C). The wording for the additional change is slightly different from wording in 45 CFR 164.501. The federal regulation states, "...contacting of health care providers and patients with information about treatment **alternatives**;" (emphasis added). MO HealthNet will add the entire phrase.

**COMMENT #5:** The Missouri Hospital Association suggests paragraph (3)(B)13. "...include "medical examiners," as the Privacy Regulations provide for disclosure to medical examiners under 45 CFR 164.521(g)."

**RESPONSE AND EXPLANATION OF CHANGE:** In order to be consistent with federal regulation 45 CFR 164.512(g)(1) (emphasis added), MO HealthNet will include "medical examiners".

**COMMENT #6:** The Missouri Hospital Association notes the term "Health Information Network" is not a term utilized by the Health Insurance Portability and Accountability Act (HIPAA) and recommends the term be removed or clarified as to how it fits into the proposed amendment and regulatory structure established by HIPAA.

**RESPONSE:** MO HealthNet agrees "Health Information Network" is not defined in HIPAA. The amendment to this regulation clarifies how the Department of Social Services, MO HealthNet Division uses and shares protected health information of its participants based on federal and state laws and regulations. No changes have been made to the proposed amendment as a result of the comment.

**13 CSR 70-1.020 Standards for Privacy of Individually Identifiable Health Information**

**(2) Definitions.**

**(D) Health Information Network.** A group of hospitals and medical professionals, and its related infrastructure, who have an agreement to exchange protected health information as defined by HIPAA.

(I) Treatment, Payment, and Health Care Operations (TPO) includes all of the following:

1. Treatment means the provision, coordination, or management of health care and related services, consultation between providers relating to an individual, referral of an individual to another provider for health care, and the necessary sharing of information through a health information network for treatment purposes.

2. Payment means activities undertaken by a health plan to obtain premiums or determine/fulfill responsibility for coverage or provision of benefits, or by a provider or health plan to obtain or provide reimbursement for health care, including determinations of eligibility or coverage, billing, collections activities, medical necessity determinations, and utilization review.

3. Health care operations includes functions such as quality assessment and improvement activities, population-based activities relating to improving health or reducing health care costs, case management and care coordination, reviewing competence or qualifications of health care professionals, conducting training programs, licensing and credentialing activities, underwriting, premium rating, conducting or arranging for medical review, legal services and auditing functions, business planning and development, and general business and administrative activities (including activities relating to the sale, transfer, or merger of the covered entity).

(3) Disclosures of Protected Health Information Required or Allowed by Law.

(B) The Department of Social Services, MO HealthNet Division shall provide information—

1. To public health authorities to report contagious and reportable diseases, including, but not limited to, those defined by 19 CSR 20-20.020, birth defects, cancer, or other information for public health purposes;

2. Reporting of certain types of wounds or other physical injuries;

3. Regarding reactions to problems with medicines;

4. To the police when required by law;

5. For court and administrative proceedings, when ordered;

6. To health oversight authorities to review how Department of Social Services programs are working;

7. To a provider or other insurance company who needs to know if a participant is enrolled in one of the Department of Social Services programs;

8. To Workers' Compensation for work related injuries;

9. Birth, death, and immunization information;

10. To the federal government to protect our country, the president, and other government workers;

11. When reporting information about victims of abuse, neglect, or domestic violence to a government authority to the extent the disclosure is required by law;

12. For Medical eligibility when that information is used for a governmental function, such as local public health agency using eligibility information to determine eligibility for local health programs;

13. To funeral directors, coroners, or medical examiners; and

14. To another government agency administering a government program providing public benefits if the programs serve the same or similar populations and the disclosure of protected health information is necessary to coordinate the covered functions of such programs or to improve administration and management relating to the covered functions of such programs.

(4) Disclosure of Protected Health Information to Business Associates and Other Covered Entities. The Department of Social Services, and its divisions, may disclose, at its discretion, a participant's protected health information to designated business associates in accordance with and as authorized by HIPAA, as amended by the HITECH Act, and all regulations promulgated pursuant to authority granted therein. Examples of how a participant's protected health

information may be disclosed, include, but are not limited to:

(A) Treatment of a Participant. Includes activities such as, providing, coordinating, or managing health care delivery and related services; consultation between providers relating to a participant; referral of a participant to another provider for health care; and necessary sharing of information through a health information network for treatment purposes;

(C) Health Care Operations. Includes functions such as quality assessment and improvement activities; population-based activities relating to improving health or reducing health care costs; protocol development; wellness and risk assessments; quality assessments and improvement, case management and care coordination; contacting of health care providers and patients with information about treatment alternatives; conducting training programs; licensing and credentialing activities; underwriting, premium rating, conducting or arranging for medical review; legal services and auditing functions; business planning and development; customer service; and general business and administrative activities (including activities relating to the sale, transfer, or merger of the covered entity).

**Title 16—RETIREMENT SYSTEMS**  
**Division 10—The Public School Retirement System**  
**of Missouri**  
**Chapter 4—Membership and Creditable Service**

**ORDER OF RULEMAKING**

By the authority vested in the board of trustees under section 169.020, RSMo Supp. 2013, the board of trustees hereby amends a rule of the public school retirement system of Missouri as follows:

**16 CSR 10-4.014 Reinstatement and Credit Purchases**  
**is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 2, 2014 (39 MoReg 1078-1079). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 16—RETIREMENT SYSTEMS**  
**Division 10—The Public School Retirement System**  
**of Missouri**  
**Chapter 4—Membership and Creditable Service**

**ORDER OF RULEMAKING**

By the authority vested in the board of trustees under section 169.020, RSMo Supp. 2013, the board of trustees hereby adopts a rule of the public school retirement system of Missouri as follows:

**16 CSR 10-4.018 Uniformed Services Employment and**  
**Reemployment Rights Act is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 2, 2014 (39 MoReg 1079). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 16—RETIREMENT SYSTEMS**  
**Division 10—The Public School Retirement System**  
**of Missouri**  
**Chapter 5—Retirement, Options and Benefits**

**ORDER OF RULEMAKING**

By the authority vested in the board of trustees under section 169.020, RSMo Supp. 2013, the board of trustees hereby amends a rule of the public school retirement system of Missouri as follows:

**16 CSR 10-5.030 Beneficiary is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 2, 2014 (39 MoReg 1079–1080). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 16—RETIREMENT SYSTEMS**  
**Division 10—The Public School Retirement System**  
**of Missouri**  
**Chapter 6—The Public Education Employee Retirement**  
**System of Missouri**

**ORDER OF RULEMAKING**

By the authority vested in the board of trustees under section 169.020, RSMo Supp. 2013, the board of trustees hereby amends a rule of the public school retirement system of Missouri as follows:

**16 CSR 10-6.045 Payment for Reinstatement and Credit**  
**Purchases is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 2, 2014 (39 MoReg 1080–1081). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 16—RETIREMENT SYSTEMS**  
**Division 10—The Public School Retirement System**  
**of Missouri**  
**Chapter 6—The Public Education Employee Retirement**  
**System of Missouri**

**ORDER OF RULEMAKING**

By the authority vested in the board of trustees under section 169.020, RSMo Supp. 2013, the board of trustees hereby adopts a rule of the public school retirement system of Missouri as follows:

**16 CSR 10-6.055 Uniformed Services Employment and**  
**Reemployment Rights Act is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 2, 2014 (39 MoReg 1081–1082). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 16—RETIREMENT SYSTEMS**  
**Division 10—The Public School Retirement System**  
**of Missouri**  
**Chapter 6—The Public Education Employee Retirement**  
**System of Missouri**

**ORDER OF RULEMAKING**

By the authority vested in the board of trustees under section 169.020, RSMo Supp. 2013, the board of trustees hereby amends a rule of the public school retirement system of Missouri as follows:

**16 CSR 10-6.090 Beneficiary is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 2, 2014 (39 MoReg 1082). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 19—DEPARTMENT OF HEALTH AND**  
**SENIOR SERVICES**  
**Division 60—Missouri Health Facilities**  
**Review Committee**  
**Chapter 50—Certificate of Need Program**

**ORDER OF WITHDRAWAL**

By the authority vested in the Missouri Health Facilities Review Committee (MHFRC) under section 197.320, RSMo 2000, the committee withdraws a proposed amendment as follows:

**19 CSR 60-50.400 Letter of Intent Process is withdrawn.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 15, 2014 (39 MoReg 861–862). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The Missouri Health Facilities Review Committee received several comments about the proposed amendment. The committee thanks all persons who commented. All comments were in opposition to the amendment, mainly because a Special Exceptions Subcommittee, rather than the full committee, would determine whether or not applications would be permitted.

RESPONSE: The committee is withdrawing this rulemaking because the proposed amendment that would have established the subcommittee was withdrawn.

**Title 19—DEPARTMENT OF HEALTH AND**  
**SENIOR SERVICES**  
**Division 60—Missouri Health Facilities**  
**Review Committee**  
**Chapter 50—Certificate of Need Program**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Health Facilities Review Committee (MHFRC) under section 197.320, RSMo 2000, the committee amends a rule as follows:

**19 CSR 60-50.410 is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 15, 2014 (39 MoReg 863). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri Health Facilities Review Committee received five (5) comments on the proposed amendment.

**COMMENT #1:** Joseph J. Brinker, of Bethesda Health Group, Inc., opposes the amendment, particularly subsections (1)(D) and (1)(H), and that “special exceptions” is not defined in the Certificate of Need (CON) Program regulations and though the intent is most probably “statutory exceptions”, it definitely could lead to subjective, thus arbitrary, interpretation without a regulatory definition.

**RESPONSE AND EXPLANATION OF CHANGE:** The committee thanks Mr. Brinker for his comment. The committee has made changes to subsection (1)(D) to clarify that if there is no bed need using the population-based need formula, that the applicant provides reasons (special exceptions). Language in section (5) was omitted because it referred to the language omitted in subsection (1)(D), so it is no longer relative.

**COMMENT #2:** John R. Munch, of Dolan Memory Care Homes, opposes the amendment.

Mr. Munch stated that the language is redundant and grants too much discretion to the subcommittee. Also, that the rule duplicates staff function and is unnecessary. He surmised that the proposed regulations would restrict choice for the consumer and reduce development of new facilities which would have a direct impact on the economy of Missouri in terms of fewer jobs, and less revenues for the state.

**RESPONSE:** The committee thanks Mr. Munch for his comment. The committee has decided not to establish a subcommittee. Also, more information is desired by the committee at the time of the letter of intent. No change was made to this amendment as a direct result of this comment.

**COMMENT #3:** Mary Murphy, of Kingswood Senior Living Community, opposes the amendment.

Ms. Murphy stated that they view the proposed amendment as a moratorium on new development of both long-term care (LTC) beds and assisted living (AL) beds in Missouri which would be harmful to service providers. She also stated that the creation of a subcommittee is unnecessary and would include legislative members that may or may not have an interest or knowledge of projects which could have a significant impact on the projects.

**RESPONSE:** The committee thanks Ms. Murphy for the comment. Several rulemakings were withdrawn or changed that omit requirements for new bed proposals. Also, the committee has decided not to establish a subcommittee. No change has been made to the amendment as a direct result of this comment.

**COMMENT #4:** Denise Clemonds, of LeadingAge Missouri, opposes the amendment.

Ms. Clemonds, on behalf of LeadingAge Missouri, has general concerns that the proposed amendment would limit the committee’s ability to look at more than numbers as they consider the needs of the elderly and disabled who deserve a quality home that fits their needs. She also stated that Missouri law establishes specific criteria for valid rulemaking, and that the proposed amendment violate the law and as such are invalid and will subject the committee to unending litigation involving either direct challenges to the rules or in challenges to committee decisions based on such invalid and unlawful rules.

Ms. Clemonds stated that this amendment creates duplication of work since a bed need analysis is already required in the “full” CON application and defeats the purpose of having an initial brief Letter

of Intent (LOI) to give advance notice of a potential project and its location. She also said that this illustrates how the Special Exceptions Subcommittee will unlawfully perform the duties of the CON Committee in violation of state law that places the responsibility for reviewing CON applications on the “full” committee.

Ms. Clemonds further stated that in instances when an LOI is filed but the potential applicant decides not to file an application, requiring data gathering and calculations relating to criteria and standards when filing an LOI also creates unnecessary work.

**RESPONSE:** The committee thanks Ms. Clemonds for her comment. The committee has decided not to establish a subcommittee. Since most of the work is required for the application, and now will be required at the earlier, letter of intent stage, the amount of duplicated work will be minimal. No change has been made to the amendment as a result of this comment.

**COMMENT #5:** Mary E. Schaefer, President of Missouri Association of Area Agencies on Aging (ma4) opposes the amendment.

Ms. Schaefer stated that the amendment changes will negatively affect the ability of seniors to have choices for the least restrictive environment in their communities. She also said that the changes would make it more difficult for the development of assisted living facilities in communities which would negatively affect the community’s economy at a time when the senior population is growing at a historic rate.

**RESPONSE:** The committee thanks Ms. Schaefer for the comment. Several rulemakings were withdrawn or changed that omit requirements for new bed proposals. No change has been made to the amendment as a direct result of this comment.

#### **19 CSR 60-50.410 Letter of Intent Package**

(1) The Letter of Intent (LOI) (Form MO 580-1860, incorporated by reference) shall be completed as follows:

(D) Project Description: information which provides details of the number of beds to be added, deleted, or replaced, square footage of new construction and/or renovation, services affected, and equipment to be acquired. If an application for new or additional long-term care beds, confirm that the bed need standard has been met or that special exceptions exist. If a replacement project, information which provides details of the facilities or equipment to be replaced, including name, location, distance from the current site, and its final disposition;

(5) If the LOI relates to new or additional long-term care beds, applicant shall submit documentation of the need for such beds and the average occupancy of all licensed beds in the appropriate category within the fifteen- (15-) mile radius of the project site.

### **Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 60—Missouri Health Facilities Review Committee Chapter 50—Certificate of Need Program**

#### **ORDER OF WITHDRAWAL**

By the authority vested in the Missouri Health Facilities Review Committee (MHFRC) under section 197.320, RSMo 2000, the committee withdraws a proposed rule as follows:

#### **19 CSR 60-50.415 Special Exceptions Subcommittee is withdrawn.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on April 15, 2014 (39 MoReg 863-865). This proposed rule is withdrawn.

**SUMMARY OF COMMENTS:** The Missouri Health Facilities Review Committee received a few comments about the proposed rule. The committee thanks all commenters. All comments were in opposition to the rule, mainly because they claim it would negatively impact development of new long-term care facilities and it would establish a Special Exceptions Subcommittee with authority to make decisions. **RESPONSE:** The committee is withdrawing this rulemaking because the rule stated that the newly-formed subcommittee would have decision-making authority, and the authority is that of the full committee per state statute.

**Title 19—DEPARTMENT OF HEALTH AND  
SENIOR SERVICES  
Division 60—Missouri Health Facilities  
Review Committee  
Chapter 50—Certificate of Need Program**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Health Facilities Review Committee (MHFRC) under section 197.320, RSMo 2000, the committee amends a rule as follows:

19 CSR 60-50.420 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 15, 2014 (39 MoReg 866). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri Health Facilities Review Committee received five (5) comments on the proposed amendment.

**COMMENT #1:** Joseph J. Brinker, of Bethesda Health Group, Inc., opposes the amendment.

Mr. Brinker stated that for section (2), "Special Exceptions" is not defined in the Certificate of Need (CON) Program regulations and could lead to subjective, thus arbitrary, interpretation.

Mr. Brinker also said that for section (10), there does not seem to be a reason for the removal of the existing factors for considerations, which have been used in the past very effectively without creating issues, and by adding "religious considerations," a very subjective factor has been added that would appear to be very difficult to quantify. Also, they take issue with the "special exceptions" and are in opposition to the "special exceptions subcommittee."

**RESPONSE AND EXPLANATION OF CHANGE:** The committee thanks Mr. Brinker for his comment. The committee has made changes to the text of 19 CSR 60-50.410, which clarifies that if there is no bed need using the population-based need formula, that the applicant provides reasons (special exceptions). Also, section (10) "...but not be limited to" has been reinstated in the rule as a result of this comment, so the factors the committee will consider will not be limited to what is listed in the rule. In addition, the committee has decided not to establish a subcommittee.

**COMMENT #2:** John R. Munch, of Dolan Memory Care Homes, opposes the amendment.

Mr. Munch stated that "Only to extent approved by the subcommittee" is unnecessary, restricts the ability and decision making power of the full committee. He surmised that the proposed regulations would restrict choice for the consumer and reduce development of new facilities which would have a direct impact on the economy of Missouri in

terms of fewer jobs, and less revenues for the state.

**RESPONSE AND EXPLANATION OF CHANGE:** The committee thanks Mr. Munch for his comment. As a result, section (10) was changed to omit "but only to the extent approved by the subcommittee under 19 CSR 60-50.400(7)". Also, the committee has decided not to create a subcommittee, and several rulemakings were withdrawn or changed that omit requirements for new bed proposals.

**COMMENT #3:** Mary Murphy, of Kingswood Senior Living Community, opposes the amendment.

Ms. Murphy stated that they view the proposed amendment as a moratorium on new development of both long-term care (LTC) beds and assisted living (AL) beds in Missouri which would be harmful to service providers. She also stated that the creation of a subcommittee is unnecessary and would include legislative members that may or may not have an interest or knowledge of projects which could have a significant impact on the projects.

**RESPONSE:** The committee thanks Ms. Murphy for the comment. Several rulemakings were withdrawn or changed that omit requirements for new bed proposals. Also, the committee has decided not to establish a subcommittee. No change has been made to the amendment as a direct result of this comment.

**COMMENT #4:** Denise Clemonds, of LeadingAge Missouri, opposes the amendment.

Ms. Clemonds, on behalf of LeadingAge Missouri, has general concerns about the Special Exceptions Subcommittee, special exceptions and minimum occupancy requirement, and that the proposed amendment would limit the committee's ability to look at more than numbers as they consider the needs of the elderly and disabled who deserve a quality home that fits their needs. She also stated that Missouri law establishes specific criteria for valid rulemaking, and that the proposed amendments violate the law and as such are invalid and will subject the committee to unending litigation involving either direct challenges to the rules or in challenges to committee decisions based on such invalid and unlawful rules.

Ms. Clemons stated that the proposed amendment to this rule provides that a Certificate of Need (CON) application that does not meet "requirements with regard to special exceptions ..." shall not be considered an application, which violates the statutory right of an applicant under section 197.330.1(8), RSMo, to file what it believes to be an application and have the committee vote on it. She also states that it is arbitrary and capricious and unreasonably burdensome on applicants because it requires them to meet the "requirements" of special exceptions without anywhere identifying or defining what special exceptions will be recognized by the Special Exceptions Subcommittee, and as such, the proposed amendment violate section 536.014, RSMo.

Ms. Clemons also urged the committee to reinstate the provisions of section (10) of the rule that are proposed to be struck and which allowed the committee to consider factors other than the population based need formula like unique obstacles to access, the "specialized nature of the services", and factors that suggest that existing facilities are not meeting the needs of seniors.

**RESPONSE AND EXPLANATION OF CHANGE:** The committee thanks Ms. Clemonds for the comment. The committee has decided not to establish a subcommittee nor set a minimum occupancy standard, and has made changes to 19 CSR 60-50.410 which clarifies special exceptions. Also, several rulemakings were withdrawn or changed that omit requirements for new bed proposals. The language regarding special exceptions requirements in order to be considered an application in section (2) was removed. Language in subsection (2)(A) was changed because it referred to the language omitted in section (2), so it is no longer relative. The committee reinstated the language "but not be limited to" in section (10) of this rule and of section (7) of 19 CSR 60-50.430, so the factors the committee will consider will not be limited to what is listed in the rule.



COMMENT #5: Mary E. Schaefer, President of Missouri Association of Area Agencies on Aging (ma4), opposes the amendment.

Ms. Schaefer stated that the amendment changes will negatively affect the ability of seniors to have choices for the least restrictive environment in their communities. She also said that the changes would make it more difficult for the development of assisted living facilities in communities which would negatively affect the community's economy at a time when the senior population is growing at a historic rate.

RESPONSE: The committee thanks Ms. Schaefer for the comment. Several rulemakings were withdrawn or changed that omit requirements for new bed proposals. No change has been made to the amendment as a direct result of this comment.

#### 19 CSR 60-50.420 Review Process

(2) A CON application filing that does not substantially conform with the LOI, including any change in owner(s), operator(s), scope of services, or location, shall not be considered a CON application and shall be subject to the following provisions:

(A) The Certificate of Need Program (CONP) staff shall return any nonconforming submission; or

(10) In addition to using the Community Need Criteria and Standards as guidelines, the committee may also consider other factors to include, but not be limited to, the needs of residents based upon religious considerations, residents with HIV/AIDS, or mental health diagnoses and special exceptions to the Community Need Criteria and Standards for new or additional long-term care beds.

### Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 60—Missouri Health Facilities Review Committee Chapter 50—Certificate of Need Program

#### ORDER OF RULEMAKING

By the authority vested in the Missouri Health Facilities Review Committee (MHFRC) under section 197.320, RSMo 2000, the committee amends a rule as follows:

19 CSR 60-50.430 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 15, 2014 (39 MoReg 866-867). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Health Facilities Review Committee received five (5) comments on the proposed amendment.

COMMENT #1: Joseph J. Brinker, of Bethesda Health Group, Inc., opposes the amendment.

Mr. Brinker stated that there does not seem to be a reason for the removal of the existing factors for considerations, which have been used in the past very effectively without creating issues, and by adding "religious considerations," a very subjective factor has been added that would appear to be very difficult to quantify. Also, they take issue with the "special exceptions" and are in opposition to the "special exceptions subcommittee."

RESPONSE AND EXPLANATION OF CHANGE: The committee thanks Mr. Brinker for his comment. In section (7) "...but not be limited to" has been reinstated, so the factors the committee will consider will not be limited to what is listed in the rule. Also, the committee has decided not to establish a subcommittee.

COMMENT #2: John R. Munch, of Dolan Memory Care Homes, opposes the amendment.

Mr. Munch stated that the language is redundant and grants too much discretion to the subcommittee, and the amendment restricts the ability and decision making power of the full committee. He surmised that the proposed regulations would restrict choice for the consumer and reduce development of new facilities which would have a direct impact on the economy of Missouri in terms of fewer jobs, and less revenues for the state.

RESPONSE: The committee thanks Mr. Munch for his comment. The committee has decided not to establish a subcommittee. No change has been made to the amendment as a result of this comment.

COMMENT #3: Mary Murphy, of Kingswood Senior Living Community, opposes the amendment.

Ms. Murphy stated that they view the proposed amendments as a moratorium on new development of both long-term care (LTC) beds and assisted living (AL) beds in Missouri which would be harmful to service providers. She also stated that the creation of a subcommittee is unnecessary and would include legislative members that may or may not have an interest or knowledge of projects which could have a significant impact on the projects.

RESPONSE: The committee thanks Ms. Murphy for the comment. Several rulemakings were withdrawn or changed that omit requirements for new bed proposals. Also, the committee has decided not to formulate a subcommittee. No change has been made to the amendment as a direct result of this comment.

COMMENT #4: Denise Clemonds, of LeadingAge Missouri, supports technical aspects to the amendment and opposes section (7) of the amendment.

Ms. Clemonds, on behalf of LeadingAge Missouri, has general concerns about the Special Exceptions Subcommittee, special exceptions and minimum occupancy requirement, and that the proposed rules would limit the committee's ability to look at more than numbers as they consider the needs of the elderly and disabled who deserve a quality home that fits their needs. She also stated that Missouri law establishes specific criteria for valid rulemaking, and that the proposed amendments violate the law and as such are invalid and will subject the committee to unending litigation involving either direct challenges to the amendments or in challenges to committee decisions based on such invalid and unlawful rules.

Ms. Clemonds stated that they support the changes in this proposed amendment that are technical in nature. They suggest reinstating the language proposed to be struck from section (7) which allows the committee to consider other factors in addition to the bed need formula. She explained that even if beds are available in a community, the specialized nature of some long-term care (LTC) needs may not be provided, and the committee should have the flexibility to review more than bed numbers and determine if frail elderly and disabled in a community have the full range of services they need.

RESPONSE AND EXPLANATION OF CHANGE: The committee thanks Ms. Clemonds for the comment. The committee has decided not to establish a subcommittee nor set a minimum occupancy standard, and has made changes to 19 CSR 60-50.410 which clarifies special exceptions. Also, several rulemakings were withdrawn or changed that omit requirements for new bed proposals. The committee agrees with the commenter about the technical aspects of this amendment. The committee has changed section (7) of this rule, and also section (10) of 19 CSR 60-50.420 which reinstates "but not be limited to" in the rule, so the factors the committee will consider will not be limited to what is listed in the amendment.

COMMENT #5: Mary E. Schaefer, President of Missouri Association of Area Agencies on Aging (ma4), opposes the amendment.

Ms. Schaefer stated that the amendment changes will negatively affect the ability of seniors to have choices for the least restrictive environment in their communities. She also said that the changes

would make it more difficult for the development of assisted living facilities in communities which would negatively affect the community's economy at a time when the senior population is growing at a historic rate.

RESPONSE: The committee thanks Ms. Schaefer for the comment. Several rulemakings were withdrawn or changed that omit requirements for new bed proposals. No change has been made to the amendment as a direct result of this comment.

#### **19 CSR 60-50.430 Application Package**

(7) In addition to using the Community Need Criteria and Standards as guidelines, the committee may also consider other factors to include, but not be limited to, the needs of residents based upon religious considerations, residents with HIV/AIDS, or mental health diagnoses and special exceptions to the Community Need Criteria and Standards for new or additional long-term care beds.

### **Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 60—Missouri Health Facilities Review Committee Chapter 50—Certificate of Need Program**

#### **ORDER OF RULEMAKING**

By the authority vested in the Missouri Health Facilities Review Committee (MHFRC) under section 197.320, RSMo 2000, the committee amends a rule as follows:

#### **19 CSR 60-50.440 Criteria and Standards for Equipment and New Hospitals is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 15, 2014 (39 MoReg 867-868). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Health Facilities Review Committee received no comments on the proposed amendment.

### **Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 60—Missouri Health Facilities Review Committee Chapter 50—Certificate of Need Program**

#### **ORDER OF WITHDRAWAL**

By the authority vested in the Missouri Health Facilities Review Committee (MHFRC) under section 197.320, RSMo 2000, the committee withdraws a proposed amendment as follows:

#### **19 CSR 60-50.450 Criteria and Standards for Long-Term Care is withdrawn.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 15, 2014 (39 MoReg 868). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The Missouri Health Facilities Review Committee received several comments in opposition to the proposed amendment. The committee thanks all commenters. Most were opposed to the eighty-three percent (83%) occupancy standard for new beds.

RESPONSE: The committee concurs that the occupancy standard would be too restrictive and therefore withdraws this rulemaking.

### **Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 60—Missouri Health Facilities Review Committee Chapter 50—Certificate of Need Program**

#### **ORDER OF WITHDRAWAL**

By the authority vested in the Missouri Health Facilities Review Committee (MHFRC) under section 197.320, RSMo 2000, the committee withdraws a proposed amendment as follows:

#### **19 CSR 60-50.600 Certificate of Need Decisions is withdrawn.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 15, 2014 (39 MoReg 868). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The Missouri Health Facilities Review Committee received three (3) comments in opposition to the proposed amendment, mainly because they claim it would negatively impact development of new long-term care facilities and states that the subcommittee would have authority to make decisions regarding application filings. Also, one (1) comment was received that suggested new bed-need rates and formulas. The committee thanks all of the commenters.

RESPONSE: The committee is withdrawing this rulemaking because the proposed amendment that would have established the subcommittee was withdrawn. Also, the new bed-need rates and formulas could not be considered because they were outside the scope of the proposed amendments filed for public comment.

### **Title 19—DEPARTMENT OF HEALTH AND SENIOR SERVICES Division 60—Missouri Health Facilities Review Committee Chapter 50—Certificate of Need Program**

#### **ORDER OF WITHDRAWAL**

By the authority vested in the Missouri Health Facilities Review Committee (MHFRC) under section 197.320, RSMo 2000, the committee withdraws a proposed amendment as follows:

#### **19 CSR 60-50.700 Post-Decision Activity is withdrawn.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on April 15, 2014 (39 MoReg 868-870). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The Missouri Health Facilities Review Committee thanks all persons who commented on this amendment. Several comments in opposition were received, whereby the main concern was that limiting extensions would be too restrictive and would not allow for exceptions. Two (2) commenters suggested changing the length of capital expenditure extensions to something other than six (6) months time based on the project at hand.

RESPONSE: The committee concurs with the commenters in opposition, and is withdrawing this rulemaking. Current statutes limit the length of extensions to six (6) months.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2150—State Board of Registration for the  
Healing Arts  
Chapter 9—Licensing of Anesthesiologist Assistants**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Registration for the Healing Arts under section 334.125, RSMo 2000, and section 334.414, RSMo Supp. 2013, the board amends a rule as follows:

**20 CSR 2150-9.080 Fees is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 15, 2014 (39 MoReg 1224–1227). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**T**his section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

**Title 7—DEPARTMENT OF TRANSPORTATION  
Division 10—Missouri Highways and  
Transportation Commission  
Chapter 25—Motor Carrier Operations**

**IN ADDITION**

**7 CSR 10-25.010 Skill Performance Evaluation Certificates for Commercial Drivers**

**PUBLIC NOTICE**

Public Notice and Request for Comments on Applications for Issuance of Skill Performance Evaluation Certificates to Intrastate Commercial Drivers with Diabetes Mellitus or Impaired Vision

**SUMMARY:** This notice publishes MoDOT's receipt of applications for the issuance of Skill Performance Evaluation (SPE) Certificates from individuals who do not meet the physical qualification requirements in the Federal Motor Carrier Safety Regulations for drivers of commercial motor vehicles in Missouri intrastate commerce because of impaired vision or an established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control. If granted, the SPE Certificates will authorize these individuals to qualify as drivers of commercial motor vehicles (CMVs), in intrastate commerce only, without meeting the vision standard prescribed in 49 CFR 391.41(b)(10), if applicable, or the diabetes standard prescribed in 49 CFR 391.41(b)(3).

**DATES:** Comments must be received at the address stated below, on or before, October 15, 2014.

**ADDRESSES:** You may submit comments concerning an applicant, identified by the Application Number stated below, by any of the following methods:

- *Email:* kathy.hatfield@modot.mo.gov
- *Mail:* PO Box 270, Jefferson City, MO 65102-0270
- *Hand Delivery:* 830 MoDOT Drive, Jefferson City, MO 65109
- *Instructions:* All comments submitted must include the agency name and Application Number for this public notice. For detailed instructions on submitting comments, see the Public Participation heading of the Supplementary Information section of this notice. All comments received will be open and available for public inspection and MoDOT may publish those comments by any available means.

**COMMENTS RECEIVED  
BECOME MoDOT PUBLIC RECORD**

- By submitting any comments to MoDOT, the person authorizes MoDOT to publish those comments by any available means.
- *Docket:* For access to the department's file, to read background documents or comments received, 830 MoDOT Drive, Jefferson City, MO 65109, between 7:30 a.m. and 4:00 p.m., CT, Monday through Friday, except state holidays.

**FOR FURTHER INFORMATION CONTACT:** Kathy J. Hatfield, Motor Carrier Investigations Specialist, (573) 526-9926, MoDOT Motor Carrier Services Division, PO Box 270, Jefferson City, MO 65102-0270. Office hours are from 7:30 a.m. to 4:00 p.m., CT, Monday through Friday, except state holidays.

**SUPPLEMENTARY INFORMATION:**

**Public Participation**

If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard.

**Background**

The individuals listed in this notice have recently filed applications requesting MoDOT to issue SPE Certificates to exempt them from the physical qualification requirements relating to vision in 49 CFR 391.41(b)(10), or to diabetes in 49 CFR 391.41(b)(3), which otherwise apply to drivers of CMVs in Missouri intrastate commerce.

Under section 622.555, RSMo Supp. 2013, MoDOT may issue an SPE Certificate, for not more than a two- (2-) year period, if it finds that the applicant has the ability, while operating CMVs, to maintain a level of safety that is equivalent to or greater than the driver qualification standards of 49 CFR 391.41. Upon application, MoDOT may renew an exemption upon expiration.

Accordingly, the agency will evaluate the qualifications of each applicant to determine whether issuing an SPE Certificate will comply with the statutory requirements and will achieve the required level of safety. If granted, the SPE Certificate is only applicable to intrastate transportation wholly within Missouri.

**Qualifications of Applicants**

**Application #215**

Applicant's Name & Age: Charles R. Hoit, 59

Relevant Physical Condition: Insulin-treated diabetes mellitus (IDTM).

Mr. Hoit has corrected visual acuity of 20/20 Snellen in each eye and has corrected visual acuity of 20/20 Snellen in both eyes. He has been IDTM since May 2014, with no glycemic reaction to date.

Relevant Driving Experience: Mr. Hoit has approximately twenty-five (25) years of commercial motor vehicle experience. Mr. Hoit currently has a Class A CDL license. In addition, he has experience driving personal vehicle(s) daily.

Doctor's Opinion & Date: Following an examination, in July 2014, a board-certified endocrinologist certified his condition would not adversely affect his ability to operate a commercial motor vehicle safely.

Traffic Accidents and Violations: Mr. Hoit has had no tickets or accidents on record for the previous three (3) years.

**Request for Comments**

The Missouri Department of Transportation, Motor Carrier Services Division, pursuant to section 622.555, RSMo, and rule 7 CSR 10-25.010, requests public comment from all interested persons on the applications for issuance of Skill Performance Evaluation Certificates described in this notice. We will consider all comments received before the close of business on the closing date indicated earlier in this notice.

Issued on: August 15, 2014

*Scott Marion, Motor Carrier Services Director, Missouri Department of Transportation.*

**Title 19—DEPARTMENT OF HEALTH AND  
SENIOR SERVICES  
Division 60—Missouri Health Facilities Review  
Committee  
Chapter 50—Certificate of Need Program**

**NOTIFICATION OF REVIEW:  
APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated review of the applications listed below. A decision is tentatively scheduled for November 3, 2014. These applications are available for public inspection at the address shown below:

**Date Filed**

**Project Number:** Project Name  
City (County)  
Cost, Description

**08/18/14**

**#5089 RS:** Carrington Place of St. Charles  
St. Charles (St. Charles County)  
\$1,061,219, Add 54 RCF beds

**08/21/14**

**#5091 RS:** The Gables at Brady Circle  
St. Louis (St. Louis County)  
\$1,837,000, Establish 80-bed ALF

**#5093 RS:** Harbor Place of Macon  
Macon (Macon County)  
\$1,300,000, Establish 18-bed RCF

**#5094 NS:** Ste. Genevieve Care Center  
Ste. Genevieve (Ste. Genevieve County)  
\$1,886,000, Add 30 SNF beds

**#5087 HS:** Mercy Hospital Joplin  
Joplin (Newton County)  
\$2,065,251, Acquire PET/CT

**08/22/14**

**#5076 DS:** South County Senior Care  
St. Louis (St. Louis County)  
\$43,231,000, Establish 120-bed SNF and 80-bed ALF

**#5096 HS:** Northside Urgent Care Hospital  
St. Louis (St. Louis City)  
\$6,853,528, Establish 3-bed hospital

**#5080 NS:** Sixty-Five Market Place Senior Community  
Ozark (Christian County)  
\$15,051,382, Establish 80-bed SNF

**#5095 RS:** Ivy Terrace at Gambrell Gardens  
Ellisville (St. Louis County)  
\$5,933,434, Add 32 ALF beds

**#5097 HS:** Barnes-Jewish Hospital  
St. Louis (St. Louis County)  
\$2,056,460, Add MRI Unit

Any person wishing to request a public hearing for the purpose of commenting on these applications must submit a written request to this effect, which must be received by September 22, 2014. All written requests and comments should be sent to—

Chairman  
Missouri Health Facilities Review Committee  
c/o Certificate of Need Program  
3418 Knipp Drive, Suite F  
PO Box 570  
Jefferson City, MO 65102

For additional information contact  
Karla Houchins, (573) 751-6403.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2110—Missouri Dental Board  
Chapter 1—Organization and Description of Board**

**NON-SUBSTANTIVE CHANGE REQUEST**

The Missouri Dental Board requests that the secretary of state make a non-substantive change to the following rule in accordance with the provisions of section 536.032, RSMo. The department reference in section (1) needs to be updated. The language currently reads Department of Economic Development but should read Department of Insurance, Financial Institutions and Professional Registration.

**20 CSR 2110-1.010 General Organization**

This change will appear in the September 30, 2014 update to the *Code of State Regulations*.

**STATUTORY LIST OF CONTRACTORS  
BARRED FROM PUBLIC WORKS PROJECTS**

The following is a list of contractor(s) who have been prosecuted and convicted of violating the Missouri Prevailing Wage Law, and whose Notice of Conviction has been filed with the Secretary of State pursuant to Section 290.330, RSMo. Under this statute, no public body shall award a contract for public works to any contractor or subcontractor, or simulation thereof, during the time that such contractor or subcontractor's name appears on this state debarment list maintained by the Secretary of State. In addition, this list includes contractor(s) that have agreed to entry of an injunction permanently prohibiting them and any persons and entities related to them from engaging in, or having any involvement in, any business in Missouri.

**Contractors Convicted of Violations of the Missouri Prevailing Wage Law**

<u>Name of Contractor</u>	<u>Name of Officers</u>	<u>Address</u>	<u>Date of Conviction</u>	<u>Debarment Period</u>
Urban Metropolitan Development, LLC Case No. 12AO-CR01752 (Jasper County Cir. Ct.)		1101 Juniper St., Ste. 925 Atlanta, Georgia 30309	08/08/2013	08/08/2013 to 08/08/2014

**Contractors Agreeing to Permanent Prohibition from Engaging In, or Having Any Involvement In, Any Business in Missouri**

<u>Name of Contractor</u>	<u>Name of Officers</u>	<u>Address</u>	<u>Date of Injunction</u>	<u>Debarment Period</u>
Urban Metropolitan Development, LLC		1101 Juniper St., Ste. 925 Atlanta, Georgia 30309	09/27/2013	Permanent
Troy Langley		1101 Juniper St., Ste. 925 Atlanta, Georgia 30309	09/27/2013	Permanent

Dated this 17<sup>th</sup> day of March 2014.

  
John E. Lindsey, Division Director

**T**he Secretary of State is required by sections 347.141 and 359.481, RSMo 2000, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to [dissolutions@sos.mo.gov](mailto:dissolutions@sos.mo.gov).

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
CALIFORNIA AMADO HERMOSA RETURN, LLC**

On June 2, 2014, California Amado Hermosa Return, LLC, a Missouri limited liability company (hereinafter the "**Company**"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
OLATHE LOT RETURN, LLC**

On June 2, 2014, Olathe Lot Return, LLC, a Missouri limited liability company (hereinafter the "**Company**"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
TEXAS SWEETWATER RETURN, LLC**

On June 2, 2014, Texas Sweetwater Return, LLC, a Missouri limited liability company (hereinafter the "**Company**"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
KC GYPSUM RETURN, LLC**

On June 12, 2014, KC Gypsum Return, LLC, a Missouri limited liability company (hereinafter the "**Company**"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
TEXAS TAMARRON RETURN, LLC**

On June 2, 2014, Texas Tamarron Return, LLC, a Missouri limited liability company (hereinafter the "**Company**"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
TEXAS SPEEDWAY RETURN, LLC**

On June 2, 2014, Texas Speedway Return, LLC, a Missouri limited liability company (hereinafter the "**Company**"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.



**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
LS CHERRY HILL NJ RETURN, LLC**

On June 20, 2014, LS Cherry Hill NJ Return, LLC, a Missouri limited liability company (hereinafter the "**Company**"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
LS YOUNGSTOWN OH RETURN, LLC**

On June 20, 2014, LS Youngstown OH Return, LLC, a Missouri limited liability company (hereinafter the "**Company**"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
LS GRAND RAPIDS MI RETURN, LLC**

On June 24, 2014, LS Grand Rapids MI Return, LLC, a Missouri limited liability company (hereinafter the "**Company**"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
LS MONTGOMERY AL RETURN, LLC**

On June 20, 2014, LS Montgomery AL Return, LLC, a Missouri limited liability company (hereinafter the “Company”), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
LS SAGINAW MI RETURN, LLC**

On June 20, 2014, LS Saginaw MI Return, LLC, a Missouri limited liability company (hereinafter the “Company”), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
LS LAS VEGAS NV RETURN, LLC**

On June 24, 2014, LS Las Vegas NV Return, LLC, a Missouri limited liability company (hereinafter the “Company”), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
LS HAMBURG PA RETURN, LLC**

On June 20, 2014, LS Hamburg PA Return, LLC, a Missouri limited liability company (hereinafter the “Company”), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
LS STERLING HEIGHTS MI RETURN, LLC**

On June 24, 2014, LS Sterling Heights MI Return, LLC, a Missouri limited liability company (hereinafter the “Company”), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
LS JACKSON TN RETURN, LLC**

On June 20, 2014, LS Jackson TN Return, LLC, a Missouri limited liability company (hereinafter the “Company”), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
LS FLINT MI RETURN, LLC**

On June 24, 2014, LS Flint MI Return, LLC, a Missouri limited liability company (hereinafter the "Company"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION TO  
ALL CREDITORS OF AND CLAIMANTS AGAINST  
C.A.B. SUPPLY, INC.**

On July 7, 2014, C.A.B. Supply, Inc., a Missouri corporation, filed Articles of Dissolution by Voluntary Action with the Missouri Secretary of State. You are hereby notified that if you believe you have a claim against C.A.B. Supply, Inc., you must submit the claim in writing to: Guy N. Brandt, Berger, Cohen and Brandt, L.C., 8000 Maryland Avenue, Suite 1550, St. Louis, MO 63105. The claim must include:

1. The name, address and telephone number of the claimant.
2. The amount of the claim.
3. The date on which the event occurred on which the claim is based.
4. A brief description of the nature of or the basis for the claim.

All claims against C.A.B. Supply, Inc. will be barred unless the proceeding to enforce the claim is commenced within two years after the publication of this notice.

**NOTICE OF WINDING UP FOR LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
RICK'S AUTO PARTS, L.L.C.**

On August 1, 2014, Rick's Auto Parts, L.L.C., a Missouri limited liability company (hereinafter the "Company") filed its Notice of Winding Up with the Missouri Secretary of State, effective upon filing.

Any claims against the Company must be sent to Rick's Auto Parts, L.L.C., c/o Gregory S. Stroup, Manager, 212 S. Kingshighway, Cape Girardeau, Missouri 63701. Each claim must include the following information: the name, address and phone number of the claimant; the amount claimed; the date on which the claim arose; the basis for the claim; and any documentation for the claim.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this Notice.

# Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—37 (2012) and 38 (2013). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
1 CSR 10	<b>OFFICE OF ADMINISTRATION</b> State Officials' Salary Compensation Schedule				37 MoReg 1859 38 MoReg 2053
<b>DEPARTMENT OF AGRICULTURE</b>					
2 CSR 80-2.010	State Milk Board		39 MoReg 1431		
2 CSR 80-2.020	State Milk Board		39 MoReg 1431		
2 CSR 80-2.030	State Milk Board		39 MoReg 1432		
2 CSR 80-2.040	State Milk Board		39 MoReg 1432		
2 CSR 80-2.050	State Milk Board		39 MoReg 1433		
2 CSR 80-2.060	State Milk Board		39 MoReg 1433		
2 CSR 80-2.070	State Milk Board		39 MoReg 1433		
2 CSR 80-2.080	State Milk Board		39 MoReg 1436		
2 CSR 80-2.091	State Milk Board		39 MoReg 1436		
2 CSR 80-2.101	State Milk Board		39 MoReg 1436		
2 CSR 80-2.110	State Milk Board		39 MoReg 1437		
2 CSR 80-2.121	State Milk Board		39 MoReg 1437		
2 CSR 80-2.130	State Milk Board		39 MoReg 1438		
2 CSR 80-2.141	State Milk Board		39 MoReg 1438		
2 CSR 80-2.151	State Milk Board		39 MoReg 1439		
2 CSR 80-2.161	State Milk Board		39 MoReg 1439		
2 CSR 80-2.170	State Milk Board		39 MoReg 1439		
2 CSR 80-2.180	State Milk Board		39 MoReg 1440		
2 CSR 80-2.181	State Milk Board		39 MoReg 1440		
2 CSR 80-3.060	State Milk Board		39 MoReg 1441		
2 CSR 80-3.120	State Milk Board		39 MoReg 1441		
2 CSR 80-3.130	State Milk Board		39 MoReg 1441		
2 CSR 80-4.010	State Milk Board		39 MoReg 1442		
2 CSR 80-5.010	State Milk Board		39 MoReg 1442		
2 CSR 90-10	Weights and Measures				38 MoReg 1241 39 MoReg 1399
2 CSR 90-10.001	Weights and Measures		39 MoReg 1199		
2 CSR 90-10.011	Weights and Measures		39 MoReg 1199		
2 CSR 90-10.020	Weights and Measures		39 MoReg 1200		
2 CSR 90-10.040	Weights and Measures		39 MoReg 1200		
<b>DEPARTMENT OF CONSERVATION</b>					
3 CSR 10-4.110	Conservation Commission		39 MoReg 1200		
3 CSR 10-6.550	Conservation Commission		39 MoReg 849	39 MoReg 1155	
3 CSR 10-7.433	Conservation Commission		39 MoReg 1265		
3 CSR 10-7.440	Conservation Commission		N.A.	39 MoReg 1394	
3 CSR 10-9.220	Conservation Commission		39 MoReg 1201		
3 CSR 10-9.353	Conservation Commission		39 MoReg 1209		
3 CSR 10-9.359	Conservation Commission		39 MoReg 1216		
3 CSR 10-9.560	Conservation Commission		39 MoReg 1220		
3 CSR 10-9.565	Conservation Commission		39 MoReg 1220		
3 CSR 10-9.566	Conservation Commission		39 MoReg 1224		
<b>DEPARTMENT OF ECONOMIC DEVELOPMENT</b>					
4 CSR 85-5.020	Division of Business and Community Services	39 MoReg 1113	39 MoReg 1442		
4 CSR 85-8.010	Division of Business and Community Services	38 MoReg 1925 39 MoReg 489T			
4 CSR 85-8.020	Division of Business and Community Services	38 MoReg 1934 39 MoReg 489T			
4 CSR 85-8.030	Division of Business and Community Services	38 MoReg 1934 39 MoReg 489T			
4 CSR 85-9.010	Division of Business and Community Services	38 MoReg 1935 39 MoReg 489T			
4 CSR 85-9.020	Division of Business and Community Services	38 MoReg 1936 39 MoReg 489T			
4 CSR 85-9.030	Division of Business and Community Services	38 MoReg 1937 39 MoReg 490T			
4 CSR 85-9.040	Division of Business and Community Services	38 MoReg 1947 39 MoReg 490T			
4 CSR 85-9.050	Division of Business and Community Services	38 MoReg 1954 39 MoReg 490T			

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 85-10.010	Division of Business and Community Services		39 MoReg 721		
4 CSR 85-10.020	Division of Business and Community Services		39 MoReg 723		
4 CSR 85-10.030	Division of Business and Community Services		39 MoReg 724		
4 CSR 85-10.040	Division of Business and Community Services		39 MoReg 725		
4 CSR 85-10.050	Division of Business and Community Services		39 MoReg 726		
4 CSR 85-10.060	Division of Business and Community Services		39 MoReg 728		
<b>DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION</b>					
5 CSR 20-400.450	Division of Learning Services		39 MoReg 1075		
5 CSR 100-200.010	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 636	39 MoReg 1277	
5 CSR 100-200.030	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 636R	39 MoReg 1280R	
5 CSR 100-200.035	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 637	39 MoReg 1283	
5 CSR 100-200.040	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 639	39 MoReg 1287	
5 CSR 100-200.045	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 639	39 MoReg 1290	
5 CSR 100-200.050	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 640	39 MoReg 1293	
5 CSR 100-200.060	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 642	39 MoReg 1298	
5 CSR 100-200.070	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 642	39 MoReg 1302	
5 CSR 100-200.075	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 643R	39 MoReg 1305R	
5 CSR 100-200.130	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 643	39 MoReg 1308	
5 CSR 100-200.150	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 645	39 MoReg 1311	
5 CSR 100-200.170	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 648	39 MoReg 1314	
5 CSR 100-200.210	Missouri Commission for the Deaf and Hard of Hearing		39 MoReg 651	39 MoReg 1320	
<b>DEPARTMENT OF HIGHER EDUCATION</b>					
6 CSR 10-2.140	Commissioner of Higher Education		39 MoReg 1029		
6 CSR 10-12.010	Commissioner of Higher Education		39 MoReg III6		
<b>DEPARTMENT OF TRANSPORTATION</b>					
7 CSR 10-1.010	Missouri Highways and Transportation Commission		39 MoReg 729R	39 MoReg 1394R	
7 CSR 10-25.010	Missouri Highways and Transportation Commission		39 MoReg 729	39 MoReg 1394	39 MoReg 1486 39 MoReg 1487 39 MoReg 1487 This Issue
<b>DEPARTMENT OF NATURAL RESOURCES</b>					
10 CSR 10-5.220	Air Conservation Commission		39 MoReg 769		
10 CSR 10-6.040	Air Conservation Commission		39 MoReg 853		
10 CSR 10-6.110	Air Conservation Commission		This Issue		
10 CSR 10-6.165	Air Conservation Commission		39 MoReg 732	39 MoReg 1395	
10 CSR 100-5.010	Petroleum Storage Tank Insurance Fund Board of Trustees		39 MoReg 1443		
10 CSR 100-6.010	Petroleum Storage Tank Insurance Fund Board of Trustees		39 MoReg 1445		
<b>DEPARTMENT OF PUBLIC SAFETY</b>					
11 CSR 30-14.010	Office of the Director		39 MoReg 1451		
11 CSR 45-1.090	Missouri Gaming Commission		39 MoReg 651	39 MoReg 1395	
11 CSR 45-4.230	Missouri Gaming Commission		39 MoReg 1451	39 MoReg 1395	
11 CSR 45-5.053	Missouri Gaming Commission	39 MoReg 1419	39 MoReg 1451		
11 CSR 45-5.090	Missouri Gaming Commission		39 MoReg 1452		
11 CSR 45-5.180	Missouri Gaming Commission		39 MoReg 1452		
11 CSR 45-5.183	Missouri Gaming Commission		39 MoReg 1453		
11 CSR 45-5.184	Missouri Gaming Commission		39 MoReg 1453		
11 CSR 45-5.185	Missouri Gaming Commission		39 MoReg 1455		
11 CSR 45-5.190	Missouri Gaming Commission		39 MoReg 657	39 MoReg 1396	
11 CSR 45-5.225	Missouri Gaming Commission		39 MoReg 658	39 MoReg 1396	
11 CSR 45-5.260	Missouri Gaming Commission		39 MoReg 1456		
11 CSR 45-5.265	Missouri Gaming Commission		39 MoReg 1456		
11 CSR 45-8.120	Missouri Gaming Commission		39 MoReg 1458		
11 CSR 45-8.140	Missouri Gaming Commission	39 MoReg 1420	39 MoReg 1458		
11 CSR 45-8.141	Missouri Gaming Commission	39 MoReg 1421	39 MoReg 1462		
11 CSR 45-8.142	Missouri Gaming Commission	39 MoReg 1422	39 MoReg 1464		
11 CSR 45-9.040	Missouri Gaming Commission	39 MoReg 1422	39 MoReg 1466		
11 CSR 45-9.104	Missouri Gaming Commission	39 MoReg 1423	39 MoReg 1466		
11 CSR 45-9.106	Missouri Gaming Commission		39 MoReg 1470		
11 CSR 45-9.107	Missouri Gaming Commission	39 MoReg 1424	39 MoReg 1470		
11 CSR 45-9.108	Missouri Gaming Commission	39 MoReg 1425	39 MoReg 1472		
11 CSR 45-9.109	Missouri Gaming Commission	39 MoReg 1426	39 MoReg 1475		
11 CSR 45-9.111	Missouri Gaming Commission	39 MoReg 1426	39 MoReg 1478		
11 CSR 45-9.112	Missouri Gaming Commission	39 MoReg 1427	39 MoReg 1480		
11 CSR 45-9.116	Missouri Gaming Commission	39 MoReg 1428	39 MoReg 1482		
11 CSR 45-9.117	Missouri Gaming Commission	39 MoReg 1429	39 MoReg 1482		
11 CSR 45-9.118	Missouri Gaming Commission	39 MoReg 1429	39 MoReg 1482		
<b>DEPARTMENT OF REVENUE</b>					
12 CSR 40-10.010	State Lottery		39 MoReg 1348		
12 CSR 40-10.040	State Lottery		39 MoReg 1348		
12 CSR 40-10.070	State Lottery		39 MoReg 1349		
12 CSR 40-15.010	State Lottery		39 MoReg 1349		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
12 CSR 40-20.010	State Lottery		39 MoReg 1349		
12 CSR 40-20.020	State Lottery		39 MoReg 1349		
12 CSR 40-20.030	State Lottery		39 MoReg 1350		
12 CSR 40-20.040	State Lottery		39 MoReg 1350		
12 CSR 40-30.180	State Lottery		39 MoReg 1351		
12 CSR 40-40.010	State Lottery		39 MoReg 1351		
12 CSR 40-40.012	State Lottery		39 MoReg 1351		
12 CSR 40-40.015	State Lottery		39 MoReg 1352		
12 CSR 40-40.020	State Lottery		39 MoReg 1352		
12 CSR 40-40.030	State Lottery		39 MoReg 1352		
12 CSR 40-40.040	State Lottery		39 MoReg 1353		
12 CSR 40-40.050	State Lottery		39 MoReg 1353		
12 CSR 40-40.060	State Lottery		39 MoReg 1353		
12 CSR 40-40.070	State Lottery		39 MoReg 1353		
12 CSR 40-40.071	State Lottery		39 MoReg 1354		
12 CSR 40-40.080	State Lottery		39 MoReg 1354		
12 CSR 40-40.090	State Lottery		39 MoReg 1354		
12 CSR 40-40.110	State Lottery		39 MoReg 1355		
12 CSR 40-40.120	State Lottery		39 MoReg 1355		
12 CSR 40-40.150	State Lottery		39 MoReg 1355		
12 CSR 40-40.160	State Lottery		39 MoReg 1356		
12 CSR 40-40.170	State Lottery		39 MoReg 1356		
12 CSR 40-40.180	State Lottery		39 MoReg 1356		
12 CSR 40-40.190	State Lottery		39 MoReg 1357R		
12 CSR 40-40.210	State Lottery		39 MoReg 1357		
12 CSR 40-40.220	State Lottery		39 MoReg 1357		
12 CSR 40-40.240	State Lottery		39 MoReg 1358		
12 CSR 40-40.250	State Lottery		39 MoReg 1358		
12 CSR 40-40.260	State Lottery		39 MoReg 1358		
12 CSR 40-40.270	State Lottery		39 MoReg 1359		
12 CSR 40-50.010	State Lottery		39 MoReg 1359		
12 CSR 40-50.030	State Lottery		39 MoReg 1360		
12 CSR 40-50.050	State Lottery		39 MoReg 1360		
12 CSR 40-60.020	State Lottery		39 MoReg 1360		
12 CSR 40-60.030	State Lottery		39 MoReg 1361		
12 CSR 40-60.040	State Lottery		39 MoReg 1361		
12 CSR 40-60.050	State Lottery		39 MoReg 1361		
12 CSR 40-70.010	State Lottery		39 MoReg 1362		
12 CSR 40-70.020	State Lottery		39 MoReg 1362		
12 CSR 40-70.030	State Lottery		39 MoReg 1362		
12 CSR 40-70.050	State Lottery		39 MoReg 1363		
12 CSR 40-70.080	State Lottery		39 MoReg 1363		
12 CSR 40-80.010	State Lottery		39 MoReg 1363		
12 CSR 40-80.020	State Lottery		39 MoReg 1364		
12 CSR 40-80.030	State Lottery		39 MoReg 1364		
12 CSR 40-80.050	State Lottery		39 MoReg 1364		
12 CSR 40-80.090	State Lottery		39 MoReg 1365		
12 CSR 40-80.100	State Lottery		39 MoReg 1365		
12 CSR 40-80.110	State Lottery		39 MoReg 1366		
12 CSR 40-80.120	State Lottery		39 MoReg 1366		
12 CSR 40-80.130	State Lottery		39 MoReg 1366		
12 CSR 40-85.005	State Lottery		39 MoReg 1366		
12 CSR 40-85.010	State Lottery		39 MoReg 1367		
12 CSR 40-85.020	State Lottery		39 MoReg 1368R		
12 CSR 40-85.030	State Lottery		39 MoReg 1368		
12 CSR 40-85.050	State Lottery		39 MoReg 1368		
12 CSR 40-85.055	State Lottery		39 MoReg 1369		
12 CSR 40-85.060	State Lottery		39 MoReg 1369		
12 CSR 40-85.070	State Lottery		39 MoReg 1369		
12 CSR 40-85.080	State Lottery		39 MoReg 1370		
12 CSR 40-85.090	State Lottery		39 MoReg 1370		
12 CSR 40-85.100	State Lottery		39 MoReg 1371		
12 CSR 40-85.140	State Lottery		39 MoReg 1371		
12 CSR 40-85.170	State Lottery		39 MoReg 1371		
12 CSR 40-85.175	State Lottery		39 MoReg 1372		
12 CSR 40-90.110	State Lottery		39 MoReg 1372		
12 CSR 40-95.010	State Lottery		39 MoReg 1372		
<b>DEPARTMENT OF SOCIAL SERVICES</b>					
13 CSR 40-7.035	Family Support Division		39 MoReg 1029	39 MoReg 1485	
13 CSR 40-13.030	Family Support Division		39 MoReg 1483		
13 CSR 70-1.020	MO HealthNet Division		39 MoReg 854	This Issue	
13 CSR 70-2.200	MO HealthNet Division		39 MoReg 856	39 MoReg 1397	
13 CSR 70-3.030	MO HealthNet Division		This Issue		
13 CSR 70-3.250	MO HealthNet Division		39 MoReg 858	39 MoReg 1397	
13 CSR 70-10.016	MO HealthNet Division		39 MoReg 1373		
13 CSR 70-10.160	MO HealthNet Division		This Issue		
13 CSR 70-15.010	MO HealthNet Division	39 MoReg 1259	39 MoReg 1265		
13 CSR 70-15.110	MO HealthNet Division	39 MoReg 1260	39 MoReg 1269		
13 CSR 70-65.010	MO HealthNet Division		This Issue		
13 CSR 70-100.010	MO HealthNet Division		This Issue		
<b>ELECTED OFFICIALS</b>					
15 CSR 30-45.030	Secretary of State		39 MoReg 1484		



Rule Number	Agency	Emergency	Proposed	Order	In Addition
<b>RETIREMENT SYSTEMS</b>					
16 CSR 10-4.014	The Public School Retirement System of Missouri		39 MoReg 1078	This Issue	
16 CSR 10-4.018	The Public School Retirement System of Missouri		39 MoReg 1079	This Issue	
16 CSR 10-5.030	The Public School Retirement System of Missouri		39 MoReg 1079	This Issue	
16 CSR 10-6.045	The Public School Retirement System of Missouri		39 MoReg 1080	This Issue	
16 CSR 10-6.055	The Public School Retirement System of Missouri		39 MoReg 1081	This Issue	
16 CSR 10-6.090	The Public School Retirement System of Missouri		39 MoReg 1082	This Issue	
<b>BOARDS OF POLICE COMMISSIONERS</b>					
17 CSR 10-2.040	Kansas City Board of Police Commissioners		39 MoReg 1376		
17 CSR 10-2.050	Kansas City Board of Police Commissioners		39 MoReg 1379		
17 CSR 10-2.055	Kansas City Board of Police Commissioners		39 MoReg 1382		
<b>PUBLIC DEFENDER COMMISSION</b>					
18 CSR 10-5.010	Office of State Public Defender		39 MoReg 1275		
<b>DEPARTMENT OF HEALTH AND SENIOR SERVICES</b>					
19 CSR 10-33.010	Office of the Director		39 MoReg 732R 39 MoReg 733	39 MoReg 1398W 39 MoReg 1398W	
19 CSR 60-50	Missouri Health Facilities Review Committee				This Issue
19 CSR 60-50.400	Missouri Health Facilities Review Committee		39 MoReg 861	This IssueW	
19 CSR 60-50.410	Missouri Health Facilities Review Committee		39 MoReg 863	This Issue	
19 CSR 60-50.415	Missouri Health Facilities Review Committee		39 MoReg 863	This IssueW	
19 CSR 60-50.420	Missouri Health Facilities Review Committee		39 MoReg 866	This Issue	
19 CSR 60-50.430	Missouri Health Facilities Review Committee		39 MoReg 866	This Issue	
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2 CSR 30-10.010	Inspection of Meat and Poultry . . . . .	Next Issue . . . . .	Aug. 28, 2014 . . . . .Feb. 26, 2015
<b>Department of Economic Development</b>			
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4 CSR 85-5.020	Preliminary Application . . . . .	.39 MoReg 1113 . . . . .	May 15, 2014 . . . . .Feb. 24, 2015
<b>Department of Public Safety</b>			
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11 CSR 45-5.053	Policies . . . . .	.39 MoReg 1419 . . . . .	Aug. 28, 2014 . . . . .Feb. 26, 2015
11 CSR 45-8.140	Application and Verification Procedures for Granting Credit	.39 MoReg 1420 . . . . .	Aug. 28, 2014 . . . . .Feb. 26, 2015
11 CSR 45-8.141	Approval of Credit Limits . . . . .	.39 MoReg 1421 . . . . .	Aug. 28, 2014 . . . . .Feb. 26, 2015
11 CSR 45-8.142	Documentation of Customer Credit Transactions . . . . .	.39 MoReg 1422 . . . . .	Aug. 28, 2014 . . . . .Feb. 26, 2015
11 CSR 45-9.040	Commission Approval of Internal Control System . . . . .	.39 MoReg 1422 . . . . .	Aug. 28, 2014 . . . . .Feb. 26, 2015
11 CSR 45-9.104	Minimum Internal Control Standards (MICS)–Chapter D . . . . .	.39 MoReg 1423 . . . . .	Aug. 28, 2014 . . . . .Feb. 26, 2015
11 CSR 45-9.107	Minimum Internal Control Standards (MICS)–Chapter G . . . . .	.39 MoReg 1424 . . . . .	Aug. 28, 2014 . . . . .Feb. 26, 2015
11 CSR 45-9.108	Minimum Internal Control Standards (MICS)–Chapter H . . . . .	.39 MoReg 1425 . . . . .	Aug. 28, 2014 . . . . .Feb. 26, 2015
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11 CSR 45-9.117	Minimum Internal Control Standards (MICS)–Chapter Q . . . . .	.39 MoReg 1428 . . . . .	Aug. 28, 2014 . . . . .Feb. 26, 2015
11 CSR 45-9.118	Minimum Internal Control Standards (MICS)–Chapter R . . . . .	.39 MoReg 1429 . . . . .	Aug. 30, 2014 . . . . .Feb. 28, 2015
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13 CSR 70-15.010	Inpatient Hospital Services Reimbursement Plan; Outpatient Hospital Services Reimbursement Methodology	.39 MoReg 1259 . . . . .	July 1, 2014 . . . . .Dec. 27, 2014
13 CSR 70-15.110	Federal Reimbursement Allowance (FRA) . . . . .	.39 MoReg 1260 . . . . .	July 1, 2014 . . . . .Dec. 27, 2014
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22 CSR 10-2.094	Tobacco-Free Incentive Provisions and Limitations . . . . .	.39 MoReg 767 . . . . .	May 1, 2014 .term. Sept. 8, 2014
22 CSR 10-2.094	Tobacco-Free Incentive Provisions and Limitations (Res) . . . . .	Next Issue . . . . .	Oct. 1, 2014 . . . . .March 29, 2015
22 CSR 10-2.094	Tobacco-Free Incentive Provisions and Limitations . . . . .	Next Issue . . . . .	Oct. 1, 2014 . . . . .March 29, 2015
22 CSR 10-2.120	Wellness Program (Res) . . . . .	Next Issue . . . . .	Oct. 1, 2014 . . . . .March 29, 2015
22 CSR 10-2.120	Wellness Program . . . . .	Next Issue . . . . .	Oct. 1, 2014 . . . . .March 29, 2015

**Executive  
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<b>14-09</b>	Activates the state militia in response to civil unrest in the City of Ferguson and authorizes the superintendent of the Missouri State Highway Patrol to maintain peace and order.	Aug. 18, 2014	Next Issue
<b>14-08</b>	Declares a state of emergency exists in the state of Missouri and directs the Missouri State Highway Patrol to command all operations necessary in the city of Ferguson, further orders other law enforcement to assist the patrol when requested, and imposes a curfew.	Aug. 16, 2014	Next Issue
<b>14-07</b>	Establishes the Disparity Study Oversight Review Committee.	July 2, 2014	39 MoReg 1345
<b>14-06</b>	Orders that the Division of Energy develop a comprehensive State Energy Plan to chart a course toward a sustainable and prosperous energy future that will create jobs and improve Missourians' quality of life.	June 18, 2014	39 MoReg 1262
<b>14-05</b>	Declares a state of emergency exists in the state of Missouri and directs that the Missouri State Emergency Operations Plan be activated.	May 11, 2014	39 MoReg 1114
<b>14-04</b>	Declares a state of emergency exists in the state of Missouri and directs that the Missouri State Emergency Operations Plan be activated.	April 3, 2014	39 MoReg 1027
<b>14-03</b>	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies.	March 20, 2014	39 MoReg 958
<b>14-02</b>	Orders the Honor and Remember Flag be flown at the State Capitol each Armed Forces Day, held on the third Saturday of each May.	March 20, 2014	39 MoReg 956
<b>14-01</b>	Creates the Missouri Military Partnership to protect, retain, and enhance the Department of Defense activities in the state of Missouri.	Jan. 10, 2014	39 MoReg 491

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<b>13-14</b>	Orders the Missouri Department of Revenue to follow sections 143.031.1 and 143.091, RSMo, and require all taxpayers who properly file a joint federal income tax return to file a combined state income tax return.	Nov. 14, 2013	38 MoReg 2085
<b>13-13</b>	Advises that state offices will be closed on Friday November 29, 2013.	Nov. 1, 2013	38 MoReg 1859
<b>13-12</b>	Activates the state militia in response to the heavy rains, flooding, and flash flooding that began on Aug. 2, 2013.	Aug. 7, 2013	38 MoReg 1459
<b>13-11</b>	Declares a state of emergency and activates the Missouri State Operation Plan due to heavy rains, flooding, and flash flooding.	Aug. 6, 2013	38 MoReg 1457
<b>13-10</b>	Declares a state of emergency exists in the state of Missouri and directs that the Missouri State Emergency Operations Plan be activated.	May 31, 2013	38 MoReg 1097
<b>13-09</b>	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies.	May 3, 2013	38 MoReg 879
<b>13-08</b>	Activates the state militia in response to severe weather that began on April 16, 2013.	April 19, 2013	38 MoReg 823
<b>13-07</b>	Declares a state of emergency and directs that the Missouri State Emergency Operations Plan be activated due to severe weather that began on April 16, 2013.	April 19, 2013	38 MoReg 821
<b>13-06</b>	Declares a state of emergency and activates the Missouri State Emergency Operations Plan in response to severe weather that began on April 10, 2013.	April 10, 2013	38 MoReg 753
<b>13-05</b>	Declares a state of emergency and directs that the Missouri State Emergency Operations Plan be activated due to severe weather that began on Feb. 20, 2013.	Feb. 21, 2013	38 MoReg 505
<b>13-04</b>	Expresses the commitment of the state of Missouri to the establishment of Western Governors University (WGU) as a non-profit institution of higher education located in Missouri that will provide enhanced access for Missourians to enroll in and complete on-line, competency-based higher education programs. Contemporaneously with this Executive Order, the state of Missouri is entering into a Memorandum of Understanding (MOU) with WGU to further memorialize and establish the partnership between the state of Missouri and WGU.	Feb. 15, 2013	38 MoReg 467
<b>13-03</b>	Orders the transfer of the Division of Energy from the Missouri Department of Natural Resources to the Missouri Department of Economic Development.	Feb. 4, 2013	38 MoReg 465

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<b>Orders</b>	<b>Subject Matter</b>	<b>Filed Date</b>	<b>Publication</b>
<b>13-02</b>	Orders the transfer of the post-issuance compliance functions for tax credit and job incentive programs from the Missouri Department of Economic Development to the Missouri Department of Revenue.	Feb. 4, 2013	38 MoReg 463
<b>13-01</b>	Orders the transfer of the Center for Emergency Response and Terrorism from the Department of Health and Senior Services to the Department of Public Safety.	Feb. 4, 2013	38 MoReg 461

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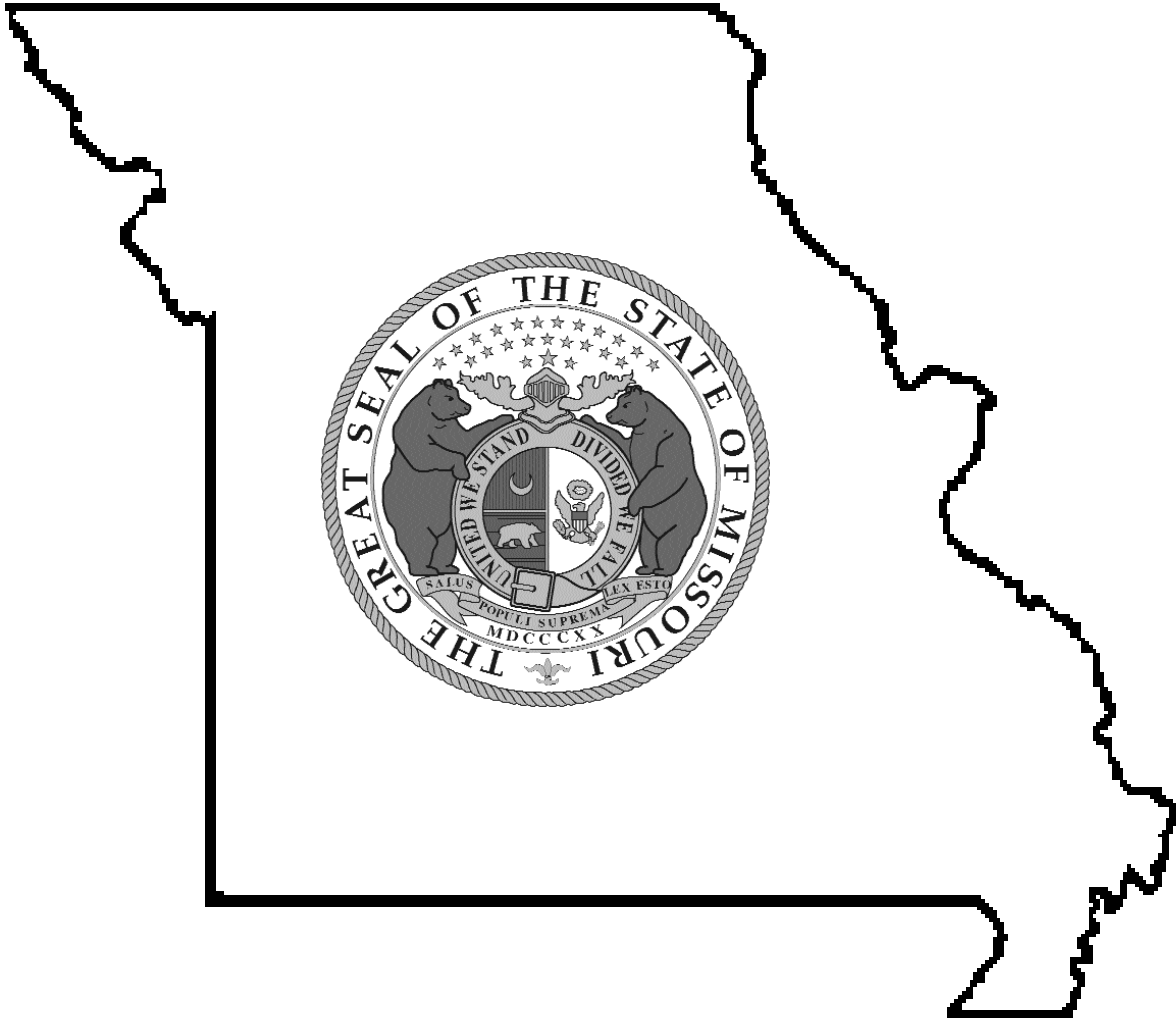
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